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would not remind him of the past; the past with all its echoes. The house seemed full of echoes. The same Master Jonson had for some years been most desirous of purchasing the estate. It was all arranged that Master Jonson buy the estate, and Sir Henry hoped that the purchaser would be punctual in payment. Sir Henry disposed of a tract of land and plantation to John Bowne (probably the John Bowne who settled in New Jersey), and after packing up and selling most of his furniture, with the exception of his mother's mahogany desk, the family portraits, silver and his large and valuable library, he departed from Gravesend, making his home for a time in Manhattan. He decided to take lodgings with Daniel Litschaes, the innkeeper of much repute who in days past had been a kind host to Lady Moody and Frances. Jonson only paid down thirteen ankers of brandy for the house and lot, and Sir Henry insisted that in fourteen days the whole amount be given him. The time passed for payment. Sir Henry had then moved with his servant, Henry, to New Amsterdam, and enjoyed the excitement of living in the larger town of Manhattan.

Many letters passed between Master Jonson and Sir Henry Moody, but still Jonson did not keep his promise, though the law did what it could, and slippery eel that he was, kept on promising. Of a truth Sir Henry had no money to pay for his lodgings, and the good-natured Lischaes, who did tailoring as well, to eke out a living, was most patient, and insisted that having Sir Henry Moody as a guest in his house, was enough of an honor. He knew that the money for bed and board would be paid in time. One day the good Vraeu Annekin Litschaes began to be more insistent.

"We will be eaten out of house and home. The serving man, Henry, has a prodigious appetite, and my good man, you must insist upon the board bill being settled," she exclaimed.

"Think of the honor, good wife, think of having a gentleman like Sir Henry Moody, a real Baronet in the house. It is in itself an advertisement. You are indeed a low jade to desire to deprive our house of its reputation by demanding what now can not be paid."

"Yes, just wait and see what a fool you are and ever have

been. You think the man with title, has gold or will have, and live in the fool's paradise where you'd better remain, for you are the greatest!"

"Annekin, speak not so loud. I heard Sir Henry Moody go to his chamber across the hallway. Attend to cheese making and set the boughnougheloughbough for tonight's supper; the quality like it. For this our house is quite renowned."

"Renowned on not collecting its bills, you fool."

"Vraeu, Vraeu, just wait until Master Jonson pays. Sir Henry has produced the bill of sale and Jonson can no longer sneak out of paying the debt. Sis Henry threatened to go back and take the house, but this Jonson would not hearken unto. He is a troublesome creature."

The last words were heard by Sir Henry for the voices were harsh and loud. He came to where the couple stood.

"Good Annekin, I could not help overhearing what you and your good man said. Your voices reached me, penetrating even the privacy of my chamber."

"Annekin, you insult the gentleman; he has heard every word you said." Raising his hand, he pointed with his thumb to the door. "Leave the room, you rothscallen, loose tongue woman."

Annekin with crimson cheeks did as she was bidden, but the look she gave her soldier husband was enough to frighten away anyone but a man like Litschaes.

"I would indeed, Mein Herr, pay you if I could, but cannot yet. You know of my present embarrassment. How much does my bill now come to, Mein Herr?"

"Three hundred and twenty guilders, your Honor."

"Three hundred and twenty guilders,' that is a goodly sum. I will promise to pay you March next, on the first of the month. I will give you my note for it, and you can in all surely depend on my word."

"Thank you, your Honor. I am disgraced by my good Vraeu, who looketh more after filthy lucre than I do. May God forgive her, I cannot."

Sir Henry smiled and then looked very grave. "You are fortunate to have a good wife, Mein Herr, I have none." And Sir Henry turned away suddenly and walked out of the room.

unfortunately discovered by some Indians, who told of seeing a bed in the cave. They then fled to Hadley, where they were concealed by Mr. Russell. Here they remained for fifteen years, friends giving them money for their daily needs. They called this house their Ebenezer. When staying with Mr. Davenport, they went to meeting one Sunday, when the alarm was given that their enemies were in the church. Mr. Davenport had no way of warning them to fly, so he took for his text, Isaiah XVI, Chapter third to the fourth, 'Take couluse, execute judgment, make thy shadows as the night in the midst of noonday. Hide the outcast, bring not him that wondereth. Let mine outcast dwell with thee. Moab, be thou a cover to them from the face of the spoils.' They fled to Mrs. Eyer's house. When pursued, she sent them out of the back door. For sometime, they remained in a cupboard which was wainscoted having lights on top. There were many pewter and brass articles in it, and a door which could not be seen from the street was cut in the wainscoting. All over the door were pictures, and outside pieces of furniture were placed."

But to return to our story, it was not long before Frances, her mad mother and Minatonka, saw a small skiff approaching them. In it was a man who resembled one whom we have seen before. It was John Whalley, the son of Sir Edward. His sister, Mistress Goffe, wrote to some friend, "My brother, John, has gone across the sea, I know not whither." He had written Frances that his step-father and his uncle and had to fly from England and desired that she join him immediately, for he little knew that his uncle's wife lived and that she would appear with Frances. All was soon safely placed on the ship and after several days stormy voyage reached their destination.

CHAPTER XVIII

THE NEW HOME ON EASTERN SHORE, MARYLAND

"So after hearty entertainment,
Of drink and vituals without payment,
For Planters' tables you must know,
Are free to all that come and go."

"Not yet from plagues exempted quite,
The curst miskitoes did me bite;
Till rising morn and blushing day,
Drove both my fears and ills away."

The new home in Maryland brought many changes into the life of Frances, who was now living in the fine brick dwelling of her old friend, Sir Edward Whalley. Situated on high ground, one could look down on the river winding below, and out on the broad Atlantic. The Planters' mansions in both Maryland and Virginia were built either of wood or brick; more often of wood, with shingled roofs from the cypress trees. The servants and freedmen would whittle these shingles, while chatting together on a winter's evening. It was in such a dwelling, with its tall brick chimney that Frances had found a home. It was styled the "Home House" and in the rear were cabins, graineries, cattle pens and a malt house. The servants lived in the former. The division walls were covered with a kind of clay and were whitewashed over. Glass windows protected with heavy shutters gave light to this commodious dwelling. Orchards and pasture lands could be seen where vast forests stretched away into the cloud line, while acres of tobacco fields were near by. There were vegetable gardens, including the raising of herbs and roots for the Still Room, so necessary to the Mistress of the Manor.

(Note.—The plantation of Sir Edward Whalley at Sinepuxent, a neck of land open to the Atlantic Ocean. It consisted of twenty-two hundred acres. Bought under the name of Middleton.)

Quite near the broad veranda, down a pebbly path could be found a wealth of beautiful flowers of variegated hue. In this Manor House, Frances lived with her mad mother and Minatonka. Sir Edward Whalley, now a fugitive, had sent for his wife and children to come over to this country. The wife, Frances, had taken her maiden name of Middleton, that her identity might remain a secret. Many a letter found its way to her and her daughter from Edward Whalley and James Goff, who as we know were at times living in holes of the earth, or hidden in the dwellings of friends. They wrote that before long they hoped to join their dear families, but years had passed and they had not come. John, the oldest son of Sir Edward Whalley, was a natural farmer, having improved the estate each year, the tobacco crops being large and very remunerative.

In the center of the house was a wide hall, placed on either side were long benches, where the family were most frequently found seated. On the side was an oaken table, carved in the style of that period, being covered with a serviceable Holland cloth. Here meals were more frequently served. Six spacious rooms had an entrance upon this hall. On the floor above were eight bedrooms with their poster bedsteads, feather beds and hangings of chintz, while brass warming pans rested against the wall. In summer time mosquito nets were hung from bars overhead. A spinning wheel stood on one side. The spinning of the linen was part of the home industry of the mistress, assisted by her maids. Closets were not in frequent use, and for them large chests were substituted. The straight back chairs with rush bottoms; the high boy, looking glass, and quaint washstands were then displayed to greater advantage in the absence of the smaller articles of the present day.

The living room on the first floor was conveniently large with its leather couch and chairs brought from the home in Old England. The ceilings were high, and the panelled walls had deep shelves for books. There were no stoves, but great open fire places with their huge logs.

Before such a brightly burning fire, Frances was seated, thinking of bygone days. She occasionally glanced at the portrait which hung over the narrow mantle. It was that of Sir Edward Whalley, the absent host, who had indeed become a stranger to his family. The month of October had come, the garden with its autumnal flowers was aglow. All nature reminded one that winter was approaching. The past rose up before Frances in the flames of the fire, fancy presented to her reflecting mind strange pictures, scenes from her troubled life. First she saw the house at Lynn, again the dwelling of Mistress Hutchinson; there was dear Roger Williams with his kindly eye and word of welcome. The scene changed; there was the new home in Gravesend; the Indian uprisings, the finding of her poor crazed mother, the death or murder of her dear adopted mother. As the flames flickered rising from the great smouldering log, she dreamt and dreamt. Dear Sir Henry how she loved him and would until the end; the end, Frances wondered when the end would be. This

was a beautiful home, and all were so kind and sympathetic. The days were full, but she missed indeed, more and more, dear Lady Moody, now gone to her rest—to the home of the soul. Her old mad mother remained about the same physically, but the mental vision had grown very dim. She was faithfully watched over by the faithful Minatonka, who alone seemed happy in the new home. Would she ever see her lover again? Would he find out her whereabouts? He must never know. She thought of the crime, yet it had been committed by a poor mad woman; God would not judge her.

Just then the door opened, and Cloe, one of the serving maids entered.

"Will Mistress Frances see her Mar, she ain't feelin' mighty, and girl, Minatonka, axt me to tell you to come quick."

"Yes, in truth, I will come directly."

Suiting the action to the words, Frances rushed past Cloe, and flew up the broad staircase.

Mistress Penelope, in her nightrobe, lay on the bed, under the canopy and parted chintz curtains. Her face was as white as the pillow on which it lay, and the large black staring eyes wandered in the direction of the open door as she entered.

"Frances, you have come at last, my little Frances. I had a dream, and then when I awakened, I felt so badly here," and she touched her heart with one hand. "I am better now, but little Frances, the old Frances Penelope, your mother, child, has come back again. I can think. There is no confusion, and the voices in my head have ceased, but I am dying. Where am I? Whose dwelling is this?"

"You are in Maryland now, and you are with your old friends, Sir Edward Whalley and his family."

"Bring him to me, I would speak to him before I go hence."

"Alas, you cannot see him, be and Master William Goffe are fugitives, pursued by followers of Charles, the II, who will avenge their king's murder."

"Sir Edward, a regicide; this dwelling his home, and he not here?"

"His son, John, manages the plantation, and hath accumulated riches as the tobacco crops are practically large."

"Yes I remember it all. Edward is my brother-in-law. Where is my poor husband, Robert?"

"He is a regicide, also, and a fugitive."

"My old trouble and the separation from Robert turned my brain. Robert was so gentle and kind! Yes, poor dear Robert, my husband. The Whalleys are in sooth a noble, kindly race. I would see Robert before I die."

The old woman spoke so low that Frances bending over her caught the words with great difficulty. As if in answer to her wishes, the door slightly open, was pushed wider and before Mistress Penelope stood her deserted husband, Robert. She seemed to have supernatural strength given to her, and holding out her hands to him, she called:

"Robert, Robert, after all these years you have come back to me."

Untying the sasonet ribbon of her nightrobe, she pulled out the miniature which had seldom left her neck.

"Return this to—to—; forgive the past, Robert, and remember, remember.' I see, I now see clearly. Protect my little Frances."

She fell back dead. A sob rose in Frances' throat. She covered her face with her hand.

"She was verily my mother!"

"And my wife," repeated Robert Whalley, as he tenderly placed his hand on the dead woman's forehead. "She disappeared in truth from the dull house, and I for many years thought her dead. My sister-in-law would not enlighten me, for she thought it would only cause me distress, but I have come in time to say farewell. Your mother, child was a woman of rare beauty; I grieved for her in her desertion. God knoweth I would have stood by her until the end. Men like Stephen Goffe should be punished. Forgive me little Frances, I speak of your father."

"My father, whom I have never seen; who cared not for his own child; I am nothing to him."

Over the dead woman, these two clasped hands. Their tears mingled; for her now they felt only pity and sorrow.

After the funeral of her mother, Frances talked long and earnestly to her stepfather about his future plans. He said he

must soon depart, as two of the Commissioners were on his tracks. For safety, he had taken the name of Theophilus Whalley.

"How glad I am that I came before she passed away. I have only of late known that my poor wife was alive, and little dreamt she would recognize her husband. Can you not join me, Frances, when I am settled somewhere in the North?"

"In truth, not now. Tell me, dear father, when Sir Edward Whalley will return. For my adopted Aunt Frances and the children need me; they are yet strangers in a strange land. I mourn my lover and affianced husband, Sir Henry Moody. I fear adversity and distress hath caused his death."

"When I go northward, Frances, I will make inquiry for him that I may send you tidings."

"Thank you, dear father. You and your family have indeed been a friend to the fatherless child."

After a tearful farewell, Theophilus Whalley bade his friends adieu, and departed for the north, and Providence Plantation.

CHAPTER XIX

THE LAST REQUEST

"How sweet it were, hearing the downward stream,
With half-shut eyes, ever to seem
Falling asleep in a half-dream!

To muse and brood and live again in memory,
With these old faces of our infancy.

Heap'd over with a mound of grass
Two handfuls of white dust, shut
In an urn of brass!"

The Lotus Eaters.

It was twilight time in June, the shadows were lengthening. Out in the garden, among the flowers she so loved, Frances stood. Years have passed since last we saw her. No longer the young girl, she had reached the gate of womanhood and at its portals she now stood, the future unknown, only memories sad and beautiful lay behind her. The flowers beckon to her; thoughts of the never-to-be-forgotten past press upon her and the shadows continually deepen. Perfume like incense waft-

ed on the wings of night overpowers her senses. A voice startles her from her reverie. It is only her devoted Minatonka bearing a letter in her hand.

"Lily pale face, a letter has come, brought by the post boy." She placed in Frances' hand a sealed packet.

"A letter for me? In these days, epistles are few and far between. I wonder who writes to me."

She carefully broke the seal, and startled, as by the dying light, she recognized the handwriting to be that of Sir Henry Moody.

"New Amsterdam. Dear Heart, the glad tidings have reached me that you are alive and in good health. The news came, brought by your step-father, Theophilus Whalley, in seclusion in Narragansett, now dwelling near Providence Plantation. He telleth me you are dwelling in the hospitable home of Sir Edward Whalley on the eastern shore of what is now called Maryland. So many events have transpired. My life has had its vicissitudes, but in all my wandering, thoughts of you have predominated with longings to behold face to face one dear, dear unto me as my own soul. I was with Col. Morritson in Virginia, where since I left New Amsterdam, I have made my home. I could no longer stand the life in the old dwelling, and even New Amsterdam proved a sad resting place. Being pressed by creditors, having to leave my valuable library to Daniel Litschaes, that he might not be the loser, for payment of bed and board of myself and my servant, Henry. I am here again for a short time in New Amsterdam, having been received in state as ambassador, and am now arranging to ratify the treaty with the Dutch authorities in regard to the crops. I brought with me a letter from the Governor, Sir William Berkeley and Theodore Blonde, Speaker of Assembly of Virginia, to the Director and Consul, requesting the Dutch Government to favor the draft for four thousand pounds weight of tobacco, one pound being equal to three shillings. The Dutch have received me most graciously, and have passed a resolution to advance one thousand or one thousand two hundred gilders with statement that I have full power to make any change in the treaty.

I will soon return to Col. Morritson's, my new Virginia home,

where I trust to end my days. Dearest Frances, would it be possible for us to meet again? I know that my love is the same as on that day when I asked you to be my wife. Do you still care for me, as of old? I am aging fast. Distress of mind and body have caused me to realize that the days of my pilgrimage are numbered. Write to me, if possible, that my heart may be made glad, and that we may arrange a meeting before long in old Virginia. I long to see you once more and dare not give utterance to a premonition. This may be my last request.

Yours until death,

HENRY MOODY.

New Amsterdam in the year of our Lord, 1661."

The letter slipped from Frances' fingers. She had never written him all these years, but her heart was consumed by love which is stronger than death. She had known of the "Citadel" being sold with the surrounding property, and that her lover was boarding in New Amsterdam; then the news came that he had died. This she doubted. Could she after all these years tell him that her mother had been the murderer. Blood lay between her and her lover. God help her.

She must see him again and explain. As Jacob in his wrestle felt, she could not let the angel go until her future was revealed. She prayed for guidance. Sir Henry still loved and believed in her. What would dear Lady Moody say, were she still with her? Frances tried to fancy that her kind friend lived. She seemed near her; to feel her presence, and a voice whispered.

"Go—go—to my boy—he needs you. The past is in God's keeping—go—in eternity such things matter not!"

She glanced up into the blue vault now studded with stars. The moon had risen and its light fell on a white stone slab—out in the family burying ground. It was her mother's grave.

She shuddered—"the past, ever the past overshadoweth me!" I will write to Henry and tell him in sooth, more not all, then if he still desireth me to go to him, I will obey the guiding hand of Providence."

Tears filled her eyes!

Frances walked slowly at first, then quickened her pace as she approached the dwelling. Upon her face the old haunted look, so apparent of late, vanished and in its place was one of determination and trust.

The soft illumination of candles suggested a subduing influence. She sought her cousins to tell them of the missive and of the reply she anticipated sending.

Friends were found, who the next day were sailing for Manhattan and Frances dispatched a long epistle to Sir Henry Moody, following his minute directions.

After three months time or longer, a messenger arrived from Col. Morritson in Virginia, begging Mistress Frances to come at once with his trusted servant, who would conduct her safely to his abode—saying “Sir Henry had returned but had been suffering from a malarial fever and they feared for his life. In his delirium he had frequently enquired about her.”

Decision was a matter of a few minutes and a short week was required by Frances to make ready for her long and dangerous trip through the wilds. She was accompanied by her devoted Minatonka and followed the leadership of the trusted servant of Col. Morritson. After hairbreadth escapes from the Indians, then on the war path, they at last reached the fine Virginia estate.

The meeting with her lover was pathetic. He was daily gaining in strength. Much was to be said on both sides, for both had suffered bitterly. Sir Henry was a broken down man and looked much older than he really was. Frances’ lip trembled as she gazed into the pale handsome face of her lover, now so deeply lined.

“You have, in truth, forgiven me, Henry?” she said.

“Dear heart, I forgave you from the first. I knew my little Frances must have some just cause to desert her affianced husband. Tell me, dear one, what was the cause of your inflexible determination?” “The cause of all?”

“Oh, in truth, I cannot tell you Henry! You sorely distress me by the question.”

“I would not distress you, Love, but do you not owe me this, Frances,—some explanation—some—”

"Henry, Oh Henry, must you know? It concerned you dear mother—she—her death was caused by my demented mother, her friend.

My mother, as you know, (having heard all the particulars from my stepfather) departed this life. Can you not in sooth see how I felt?

Blood lieth between us!" Frances burst into tears.

"Dear heart, you are speaking of one who was crazed; who could not be held accountable for her deeds—God knoweth I suffered!"

"Yes, but the disgrace, and my dear precious friend, Lady Moody, to die by the hand of a friend. She was like an own mother. I could not bear all and thought it only fair to her only son to steal silently away—time doeth much. They say men forget in truth sooner than we women."

"Did you think, Frances, I could ever cease to love you, to hold you in the shrine of my heart?"

"I knew not, in very truth, I could not dream you would wish to wed the daughter of the murderer of your mother."

She shuddered, turning quite white, and would have fallen had not Sir Henry placed his arms around her.

He drew her closely to his breast.

"You will yet be my own beloved wife."

Frances had fainted, and as his strength was not adequate, he called for help. Some of the servants rushed out and together they carried the unconscious Frances into the house, laying her on a couch.

It was some minutes before she regained her consciousness, but when she came to herself, she found Sir Henry kneeling beside her, still holding her hand.

The weeks passed quickly; it was one long Maytime. Sir Henry gained in strength; the color returned to his face. Frances looked again like her old self, all but the present was forgotten. Col. Morritson insisted that Frances, with Minatonka, her maid, prolong her stay, remaining as his guest. "Any friend of Sir Henry Moody was indeed welcome under his roof tree," he remarked.

It was arranged that the marriage of Sir Henry and Frances

Frances gazed into the face of the proud Queen Henrietta Maria. She was a beautiful and haughty personage, but loved and trusted by Charles the First.

She glanced again at the portrait of her father. The eyes seemed lifelike; they turned toward her in the direction of the mahogany desk to which she seemed irresistibly drawn. As she rested her elbow on the desk, it pressed upon a tiny partition. She lifted the lid disclosing a box in which appeared a bit of yellow parchment. The writing was sufficiently distinct for her to decipher these startling lines:

“It hath been proved that John Goffe, the brother of Stephen your lover, has murdered Joseph Joyse, a member of Magdellen College. I advise you that you avoid further association with the family of the murderer.”

ANONYMOUS.

“Murder, ever murder!” Frances exclaimed. “It clouded the life of dear Lady Moody and in the end caused her death!”

Thus the truth was revealed to her! Dear Lady, how she had suffered!”

She wondered if Sir Henry himself would have so acted to her, if she had not relinquished him. He could never have seen these lines. It had been Lady Moody’s life secret—between her and her God. Who wrote that letter. She saw all now. It was of course her own jealous mother.

Hearing the footsteps of Sir Henry, she deemed it advisable for the present to conceal the paper, thrusting it into her bodice, as he entered the room.

Sir Heury appeared exhausted, like one dazed, as with some effort he advanced, placing one hand upon his forehead, and then crossing the room sank heavily upon the sofa. Frances rushed forward, placing her hand upon the near bell rope to summon aid, as she anxiously bent over him. An unmistakable look appeared upon the face of her lover, the features were pinched and ghastly.

“Are you ill, Henry?”

There was no answer to her question.

“What may I do for you? Are you feeling ill?”

The old smile of younger days returned as he tried to reassure her. With hand outstretched, he with difficulty whispered,

"I am faint, it is nothing. The marriage certificate is here in the desk; also papers for your inheritance—all I have left will be yours, it is not much. The desk, the portraits and secret papers of the King. Restore all these papers—things misunderstood will be explained. Frances, little Frances, something telleth me our marriage will never be. I am dying. If this wish of our hearts can not be fulfilled, ever remember you have granted my last request.

Frances fell on her knees before her lover crying passionately: "Henry! Henry! do not leave me!"

"I am passing out of the wilderness into the Homeland of the Soul," he murmured and was gone.

She turned away—the spirit had flown. For her the wilderness stretched before, and the Pilgrim who for Conscience Sake had left all behind, awaited her ministry.

THE END.

(Note.—A letter from John Davinport to John Winthrop.

"Me Lady Moody's movements in England by General Monk and Lambert, with relation to their claim as to residence.")

(Note.—"Stuyvesant's Brother-in-law, Nicholas Varlett had gone to Virginia to prepare a treaty of mutual fellowship and convenience for protection against the savages and barbarous creatures—the enemies of both."

(Note.—"The Unification," a book belonging to Sir Henry Moody of his father's "Knights' Orders" given by King James First.)

History of the Mormon Church

BY BRIGHAM H. ROBERTS, Assistant Historian of the Church

CHAPTER CXXI

SUCCESSION IN THE PRESIDENCY AFTER THE DEATH OF JOHN TAYLOR—APOSTOLIC AD INTERIM—THE CHURCH PROPERTY SUITS IN ESCHEATED CASES—THE RECEIVERS—RESTORATION OF THE PROPERTY—A BREAK IN SOLIDARITY OF PARTIES IN MUNICIPAL ELECTIONS—THE LIBERAL VICTORY OF 1890—PROGRESS IN PROSECUTION OF POLYGAMY CASES UNDER CLEVELAND'S ADMINISTRATION—THE IDAHO TEST OATH—THE STRUBLE BILL—THE WOODRUFF POLYGAMY MANIFESTO—DEFENSE OF THE MANIFESTO—DEDICATION OF TEMPLES—THE CHURCH AT THE PARLIAMENT OF RELIGIONS—BENEFICIAL EFFECTS OF THE CRUSADE—MEXICAN AND CANADIAN SETTLEMENTS

FOllowing the funeral services of President Taylor on the 29th of July, the counselors of the late President, Geo. Q. Cannon and Joseph F. Smith, met with five of the Twelve Apostles,¹ and Daniel H. Wells, (the latter had recently returned from presiding over the European mission), in council meeting. It was determined that the two counselors to the late President should preside over the Church until the members of the council of the Apostles could be convened. This arrangement lasted until the 3rd of August. On that date eight of the apostles met, with the two counselors of the late President,² to consider the matter of the Presidency of the Church. Elders Geo. Q. Cannon and Joseph F. Smith were

1. The five Apostles were Wilford Woodruff, Lorenzo Snow, Franklin D. Richards, Moses Thatcher, Heber J. Grant.

2. It will be remembered that Daniel H. Wells, with John W. Young, son of Brigham Young at the time of his death, were sustained as counselors to the quorum of the Twelve Apostles. Hence the presence of Elder Wells at the Apostles meeting; his associate counselor was in the East. John W. Young, though not very active in Church affairs continued to be sustained as counselor to the quorum of the Apostles until the general conference of October (*Mill.*

re-instated in their former positions in the quorum of the Twelve whence they had been taken to act as counselors to the late President John Taylor—this was fifth and sixth place respectively. President Wilford Woodruff with the approval of this meeting issued a brief address "To the Saints³ Throughout the World," announcing the death of President Taylor, and also declaring that, as upon two former occasions in the history of the Church, "the duty and responsibility of presiding over and directing the affairs of the Church of Jesus Christ of Latter-day Saints in all the world, devolves upon the Twelve Apostles," for the time being, and expressed the hope that with the blessing of the Lord and the faith and prayers of his people they would be able to do their duty until they, too, would be laid to rest.⁴

At the general conference of the Church in October following, the quorum of the Twelve, with Wilford Woodruff as President, was sustained "as the Presiding Council and Authority of the Church, and with their counselors, as prophets seers and revelators."⁵ At this conference, as at the five preceding ones, a general epistle was read from the Presidency reviewing the general condition of the Church as well in the foreign missions as in the stakes of Zion, and giving such counsel and admonitions as were deemed necessary to meet the problems confronting the people.⁶

Star, Vol. 53, pp. 805-6) when at his own request, by letter from New York his name was not presented, and his official relations with the quorum of the Apostles ceased from that time. Daniel H. Wells continued in his relationship as counselor to the Twelve until the time of his death which occurred March 24th, 1891.

³. The council of the Apostles in the order of seniority in the quorum stood as follows: Wilford Woodruff, President; Lorenzo Snow, Erastus Snow, Franklin D. Richards, Geo. Q. Cannon, Joseph F. Smith, Brigham Young, Moses Thatcher, Francis M. Lyman, John H. Smith, George Teasdale, Heber J. Grant and John W. Taylor. In the minutes of the General Conference of the Church for October, 1887, and for two general conferences thereafter, the name of Brigham Young preceded that of Joseph F. Smith, but that was an error, since Joseph F. Smith was received into the Quorum of the Twelve at the General Conference of the Church held in October, 1867; while Brigham Young was not received in that quorum until a year later, October, 1868.

⁴. The Epistle complete is published in *Mill. Star*, Vol. XLIX, pp. 545-6.

⁵. Minutes of the Forty-Eighth Semi-Annual Conference of the Church, October 6th, to 9th inclusive, 1887. *Mill. Star*, Vol. XLIX, p. 737.

⁶. The epistle complete will be found in *Mill. Star*, Vol. XLIX, pp. 721-735. These general Epistles are really worthy to be classed as state papers of a high order of excellence, for their grasp and treatment of the themes with which they deal. They were sent to the general conferences and read because of the inability of the President to attend those great gatherings without being placed under arrest.

One of the pleasing features of this October general conference of 1887 was that two of the apostles and some other leading elders of the Church who had been in retirement for some years because of the judicial crusade that had raged in Utah, appeared upon the stand of the Tabernacle. The Salt Lake *Herald* thus describes their appearance—referring to the morning session of the third day:

“A surprise was in store for the congregation, which gave great satisfaction. It was the appearance of Erastus Snow, the founder and upbuilder of southern Utah. It is the first time he has been seen in public in a number of years.”⁷

At the commencement of the afternoon session of the 4th day of the conference, the venerable Wilford Woodruff, now President of the Church, walked into the stand,—and now the *Herald's* account:

“The crowning incident of surprise for those who assembled in the Tabernacle on Sunday afternoon, was the sudden appearance, a few minutes before the hour of beginning the services, of President Wilford Woodruff. It was a happy denouement! The venerable and respectable leader entered the building at the west end, went directly to the stand of the Presidency, and made his presence known to the seated multitude by a bow and wave of the hand. He was recognized immediately, and before he had time to think the congregation arose en masse and gave vent to warm ejaculations of welcome. It was a spectacle which will long be remembered. Among the thousands who thus welcomed an honored and beloved apostle who had labored faithfully for more than half a century in the cause of the salvation of mankind, and whose hair had grown grey and white in the service, were those whose memories carried recollections of his good deeds in the past; and they beheld him standing before them after an enforced absence of some three years, their pent-up feelings found vent in tears, and as they resumed their seats they were seen to weep for joy.”⁸

7. Salt Lake Daily *Herald*, impression of 9th Oct., 1887.

8. *Ibid.* Of this conference the *Herald* further said: “Every available inch of space in the vast building was occupied. It was as large a congregation as ever assembled there, and Mr. Henry Grow, the gentleman under whose supervision the structure was erected and furnished, and who has measured the seating capacity, stated that there were 12,000 persons inside when the meeting was called to order, and a great many crowded around the entrances on the outside. People stood in all the aisles, against the walls, behind the seats, on the stand,

The arrangement as to the Presidency of the Twelve Apostles over the Church, voted for at this conference, continued eighteen months, then the First Presidency for the third time since the martyrdom of the Prophet Joseph, was reorganized, at the general conference of the Church held in April, 1889. Wilford Woodruff was sustained as President of the Church with George Q. Cannon and Joseph F. Smith as counselors.⁹ The three vacancies created in the quorum of the Twelve were not filled until the October conference following, when Marriner W. Merrill, Anthon H. Lund and Abraham H. Cannon, the last a member of the first council of seventy, were chosen to fill these vacancies.¹⁰

The vacancy in the First Council of seventy occasioned by the advancement of Abraham H. Cannon to the Apostolate was filled at the April conference of 1890, by the selection of Elder George Reynolds to the position. Elder Reynolds, it will be remembered, was the one whose case, when charged with polygamy, went to the supreme court of the United States to test the constitutionality of the anti-polygamy law of 1862, and who had suffered a two years' term of imprisonment (1879-1881) in consequence of that action. A previous vacancy in this Council, occasioned by the death of Horace S. Eldridge (September 6, 1888), had been filled by the selection of Elder Brigham H. Roberts for that place at the October conference of 1888.

encroaching upon the space allotted to the Priesthood, rendering it difficult for those distributing the Sacrament to move among them. The choir was augmented to its full limit, besides being added to by accessions from different parts of the Territory." (*Ibid.*)

9. See conference Minutes for April, 1889, *Mill. Star*, Vol. LI, pp. 291-2.

10. *Ibid.* Conference Minutes, pp. 753-4. The remarks of President Woodruff on this occasion are interesting as showing the method of selecting the men to fill the vacancy in the Apostolate on this occasion: "We have felt that it is time to fill that Quorum now, at this Conference, and the people should be prepared for the presenting by the Twelve Apostles of such names as they may feel by the Spirit of God to be worthy and proper persons to receive this ordination, or to occupy this position. These Apostles are Prophets, Seers and Revelators. I have confidence in them; I believe they have power to present such things as would be in accordance with the will of God. They [the Apostles] presented to me a list of names. I wish here to say, and I want it understood, that neither myself, President George Q. Cannon, nor President Joseph F. Smith, who are my Counselors, presented any of these names. We left it with the Quorum of the Apostles. I became thoroughly satisfied that they had upon that list such names as would be acceptable unto the Lord. We took those names and made it a matter of prayer, and the Spirit of the Lord manifested unto me those whom we should appoint. They have all been accepted by the Quorum of the Apostles as well as the Presidency of the Church."

One of the most serious problems that the Woodruff administration had to deal with was the matter of the escheat proceedings of the United States against the property of the Church. As already stated when reviewing the various provisions of the Edmunds-Tucker law, the attorney general was directed by that law to institute and prosecute proceedings to forfeit and escheat to the United States the property of corporations obtained or held in violation of the act of 1862,—all real estate in excess of \$50,000; provided that no buildings or the grounds appurtenant thereto occupied exclusively for the worship of God, or parsonage connected therewith, or burial ground should be forfeited. Also the Church as a corporation was dissolved by this act and the attorney general was directed to cause such proceeding to be taken in the supreme court of the Territory of Utah as was necessary to wind up its affairs.

The first step in carrying out these directions of the Edmunds-Tucker law was by the institution of a suit in the supreme court of the Territory by United States district attorney for Utah against the Church of Jesus Christ of Latter-day Saints for all property in excess of \$50,000 held by its Trustee in Trust. This on the 30th of July, 1887, the day following the burial of President John Taylor.¹¹

When the legislation that culminated in the Edmunds-Tucker act was pending in congress—as it was for several years before it was finally enacted into law—the Church leaders under the advice of their legal advisers took some steps for the protection of the property the Trustee-in-Trust held for the Church. The act under which the Church was incorporated¹²—in respect of obtaining and holding both real estate and personal property—its power in this respect was limited only by the proviso that the gifts or donations that it received should not be “incompatible with the principles of righteousness or the rules of justice;” and

11. For full statement of the case, with complaint against the Church, and order of the court in full see *Mill Star*, Vol. XLIX, pp. 540-544.

12. See Compiled Laws of Utah, 1876, ch. V. The incorporation was made first under the authority of the provisional state of Deseret, approved Feb. 8th, 1851, (Ch. XVII). Brought over and approved by resolution of the Territorial legislative assembly, Oct. 4, 1851. See Acts and Memorials of Territory of Utah—First annual and special session of legislative Assembly, p. 204. And Jan. 19, 1855, re-enacted by the legislature of the Territory of Utah, see U. S. Reports, Vol. 10, p. 792, *et seq.*

the said property was also "to be used, managed, or disposed of for the benefit, improvement, erection of houses for public worship, and instruction, and the well being of said Church."¹³ The corporation was authorized at general or special conferences to elect one Trustee-in-Trust, and not to exceed twelve Assistant Trustees, to manage its affairs; but no Assistant Trustee or Trustees was empowered to transact "business in relation to buying, or selling, or otherwise disposing of Church property without the consent or approval of the Trustee-in-Trust of said Church."

Under these plenary corporate powers the one corporation had held all the Church property real and personal in all the settlements of the Saints in Utah from the time of its incorporation in 1851. Had such a condition been allowed to continue until after the aforesaid bill became a law, very much more property would have been seized by the government than was seized. But as already suggested the Church authorities under the advice of legal counsel took precautions to lessen the impending blow. Under the Territorial law each ward and each stake also, where realty was held that could not properly fall under the ward organization, was converted into a corporation and such property as the general Church corporation held within its limits was granted unto said local corporation.¹⁴

Such property as could not well be disposed of in this equitable manner, was subject to seizure. Still even as to such property steps were taken to preserve it from the despoilers as far as possible, and in some instances after the passage of the Edmunds-Tucker bill by the two houses of congress, 19th of February, 1877, but before the law became effective, March 3rd, of the same year. President John Taylor, according to George Q. Cannon, his counselor, had personally been averse to putting the

13. Compiled laws of Utah, 1876, p. 233.

14. At first the organization was somewhat cumbersome, requiring presidents and boards of directors, which by reason of the frequent absence of members on missions, change of residence, and death, was difficult to keep intact as a working body. Later, however, these cumbersome bodies corporate were changed by alterations in the general law upon the subject into corporations sole, by which it is possible to create a bishopric or a stake presidency into a perpetual corporation sole, which is so nearly perpetual automatically that it only requires the notice of the change in the personnel of the office of bishop or president to be reported to the court within the jurisdiction to continue it.

Church property out of his hands with a view to saving it from seizure. His position was that the Church had acquired the property it held honestly and lawfully—"It was" he said, according to Mr. Cannon:—

"It was the hard earned fruits of the industry of the people which they had consecrated to the service of the Lord; it was used only for proper purposes, and was a source of benefit to all and injured none; and was not in excess, either in value or extent, of that which was needed to carry on the work which the Lord had commanded us to perform. In the most vigorous language he denounced this plan to seize the property of the Church as a scheme of robbery, only equaled by the combinations of mobs in former days to drive us from our homes and steal our property. It was mobocratic violence and greed seeking to conduct its plundering operations under the guise of law.

. . . If Congress is determined to take our property in this unjustifiable manner—property which is honestly and lawfully ours by all the laws of God and man, and upon which they have not a shadow of claim, no more, in fact than a band of highwaymen would have upon the property of the peaceful traveler, or than a gang of pirates would have upon the cargo of the legitimate merchantman upon the high seas—then, having the power, and we not being in a position to successfully resist, they must take the consequences. We have endured such flagrant outrages and left our cause in the hands of God before, we could do so again."¹⁵

President Taylor, however, must have been dissuaded from this personal view to the policy of putting forth every effort to save the property of the Church from seizure. Accordingly after the passage of the Edmunds-Tucker law, recognizing that the Church no longer existed as a body corporate, on the 19th of May, 1887, Wm. B. Preston, R. T. Burton and John R. Winder were appointed, and qualified before the probate court of Salt Lake County, as Trustees for the un-incorporated religious society known by the name of the Church of Jesus Christ of Latter-day Saints; and to them President Taylor transferred by deed the Temple Block and buildings, the deed bearing date of June 30, 1887. And later, *viz*, on the 2nd of July—same

15. Cannon Editorial in Juvenile Instructor, Copied into *Mill. Star*, Vol. L, pp. 386-7.

year—other men to whom had been conveyed in trust other real estate before the Edmunds-Tucker act became effective, conveyed to these trustees the realty held by them, namely, the Guardo House; and the Tithing House and grounds. Other property than this was doubtless held in similar trust, and there was seizure of other property than the above, both of real estate and personal property, belonging to the Church.

Mr. Frank H. Dyer, United States Marshal for Utah, was appointed by the Utah Supreme court receiver of the Church property for the federal government, and he made diligent effort to find all such property. Some property was seized that clearly did not fall under the description of the property to be escheated by the Edmunds-Tucker law, such was the Temple square and the Presidents office. Finally, after much petitioning and questioning in court and conferences between opposing counsel an agreement upon facts was made, and a decision arrived at as to the real and personal property that should be turned over to the receiver, upon which agreement and decision the litigants would take the case before the courts, with the understanding that the case would go finally to the supreme court of the United States for adjudication. This property real and personal was listed as follows: The Temple Block, valued at \$500,000, was set apart to the voluntary religious worshippers of the Church of the Latter-day Saints, and the receiver was directed by the court to surrender possession and control of this property to the Trustees, Preston, Burton, and Winder. The Guardo House and grounds, valued at \$50,000; the Historians' Office and grounds, valued at \$20,000; the tithing-office and grounds valued at \$75,000; the Church Farm (a short distance south of Salt Lake City) valued at \$110,000; and certain Coal lands in Summit county, valued at \$30,000,—all this realty was to be turned over to the receiver, as also some other personal property—800 shares of stock in Salt Lake Gas company; 4,732 shares in the Deseret Telegraph company; several promissory notes of different parties and amounts; 30,158 sheep; \$237,666.15 of money. From the time this property had been in the hands of the receiver until the compromise measure was adopted, he had collected rents on the real estate and dividends on the stocks until the full amount of

property, including both real and personal property and rents, amounted to an aggregate value of \$750,000—exclusive of the Temple Block of course.¹⁶

When the case was considered by the supreme court and judgment rendered, May 19, the court sustained the constitutionality of the Edmunds-Tucker law,¹⁷ and with very slight modification

16. This compromise arrangement was made on the 8th of October, 1888, and the findings and decrees of the court were filed a few days later, (see proceedings of the court published in *Deseret News*—Weekly—of Oct. 10th and 17th; also a summary of the compromise and of the findings and decrees of the court will be found in the decision of the case by the United States Supreme Court in U. S. Reports, Vol. 10, pp. 732-812). Accompanying the compromise agreement was a notice of appeal to the U. S. supreme court by attorneys for the Church.

17. The points ruled upon by the court are stated in the syllabus of the case:

1. Congress has plenary and supreme legislative power over the territories of the United States, and their inhabitants; an Act of Cong. Feb. 19, 1887, abrogating the charter of the Church of Jesus Christ of Latter-day Saints, granted by legislature of Utah, January 19, 1855, and dissolving the corporation, was a valid exercise of such powers, and the said corporation has ceased to have any existence as a civil body.

2. The Act of Cong. July 1, 1862, provided that no religious or charitable corporation in the Territories should hold real estate exceeding \$50,000 in value, and that all real estate held by any such corporation contrary to such act should escheat to the United States. The title of all the real estate acquired by such corporation in Salt Lake City remained in the United States as part of the public domain until November 21, 1871, when it was entered by the mayor of said city under Act Cong. March 2, 1867, known as the "Town-Site Act." Held, that on the dissolution of the corporation all of its real estate in such city except a block used for public purposes reverted to the United States.

3. Under the organic act of Utah, Sept. 9, 1850, (9 St. 453), the general system of common law and equity, as it exists in this country, became operative in the territory of Utah; and therefore, on the dissolution of said religious and charitable corporation, its personal property became vested in the government of the United States, in its sovereign capacity, to be applied, under the general doctrine of cy-pres, either by the court or by direction of congress, to some kindred object, whereby the general purposes of religion and charity may be promoted.

4. The fact that all the property of said corporation was held by individuals in trust for the corporation did not prevent the title from escheating according to the intent of said acts.

5. Act Cong. Feb. 19, 1887, 17, providing that the attorney general of the United States shall cause such proceedings as are necessary to wind up the affairs of the Church of the Latter-day Saints, and execute the provisions of the said act, is constitutional.

The court however was divided, chief justices, C. J. Fuller, and Associate Justices Field and Lamar dissenting. "Congress possess such authority over the Territories," said Chief Justice Fuller, writing the dissenting opinion, "as the constitution expressly or by clear implication delegates . . . In my opinion congress is restrained, not merely by the limitations expressed in the constitution, but also by the absence of any grant of power, express or implied, in that instrument. And no such power as that involved in the act of congress under consideration is conferred by the constitution, nor is any clause pointed out as its legitimate source. I regard it of vital consequence that absolute power should never be conceded as belonging under our system of government to any one of its departments. The legislative power of congress is delegated, and not inherent, and is therefore limited. I agree that the power to make needful rules and regulations for the territories necessarily comprehends the power to suppress crime;

the decrees of the Territorial court.¹⁸ These modifications related to the handling of the personal property which the supreme court dealt with in a subsequent decision, May 25th, 1891. It was directed by the court that since at the dissolution of the Church corporation there did not exist any trust or purpose within the objects for which said personal property was originally acquired and for which it could be used; and there did not exist any body or association who is legally entitled to said property, therefore it had devolved to the United States and ought to be limited and appointed to such charitable purposes, lawful in their character, as most nearly correspond to those to which it was originally destined. This to be ascertained by a special master in chancery, whose findings and recommendations were to be approved by the supreme court of the Territory.

All listed real and personal property noted in the compromise proceedings before the Utah supreme court by this ruling went into the hands of the receiver, Mr. Frank H. Dyer. After a year's service the receiver was allowed compensation, which with fees, for his attorneys—Williams and Peters—and his expenses, amounted to \$26,825.63.¹⁹ Mr. Dyer continued in the office of the receiver until the 14th of July, 1890, when he resigned,²⁰ and was

and it is immaterial, even though that crime assumes the form of a religious belief or creed. Congress has the power to extirpate polygamy in any of the Territories, by the enactment of a criminal code directed to that end; but it is not authorized, under the cover of that power, to seize and confiscate the property of persons, individuals, or corporations, without office found, because they may have been guilty of criminal practices."

18. Supreme Court decision, II, U. S. Reports, p. 884.

19. Mr. Dyer's bond has been \$250,000. There were wide differences of opinion on the subject of compensation for the receiver, and much controversy about it. The court referred the subject for examination and report to Judge Ezra T. Sprague, master in chancery. In his report the judge fixed the sum to be paid the receiver at \$25,000; and to each of his attorneys, Parley L. Williams and George S. Peters—the latter was the U. S. district attorney for Utah—he recommended the payment of \$10,000 to each, and for expenses of the receiver, \$7,865.63, making a total of \$52,865.63. This was cut by the court to the amount stated in the text, of which \$10,000 was allowed to the receiver, and \$5,000 and \$4,000 respectively, to the attorneys (See Court proceedings and orders published in *Deseret News*,—Weekly,—of March 9th, 1889, pp. 347-9). An inquiry had been ordered by the court into the administration of the affairs of the trust by receiver Dyer and his attorneys, conducted by Judge Harkness. The investigation resulted in the exoneration of the receiver and his attorneys. The expense of the inquiry was \$3,500.

20. There had been some dissatisfaction expressed with the administration of Receiver Dyer, and on the 14th of June J. B. Rosborough was appointed a special commissioner to examine his administration. Dyer under orders from the court prepared his report for the commissioner, but when the report was completed he objected to Rosborough as examiner on the ground that he was preju-

succeeded two days later by Henry W. Lawrence, who will be remembered as active in the "Godbeite Movement" of previous years. Being regarded as an "Apostate Mormon" his appointment was obnoxious to the Latter-day Saints who still held an interest in the property to be turned over to the receiver.²¹

Mr. Lawrence continued in office as receiver until August 31st, 1894, when he was superseded by the appointment of John R. Winder, counselor in the presiding Bishopric of the Church of the Latter-day Saints. He was required to give bonds in the sum of \$100,000.

During the receivership of Mr. Lawrence there was further seizure of Church property, the Cannon house—former residence of Geo. Q. Cannon on South Temple street, the Whitney

diced and unfriendly to the receiver. The court cancelled Rosborough's appointment (See Dyer's Affidavit & Court action in *Deseret News*—Weekly—of July 19, pp. 114-5); and immediately appointed T. R. Jones, a local banker, he refused to act (*Id.* p. 115). Later Mr. M. M. Stone was appointed to audit Mr. Dyer's accounts. Mr. Dyer's report is very complete and will be found in full in *Deseret News*—Weekly—of July 26th, 1890, pp. 122-6.

Mr. Dyer gave as the reason for his resignation the enlargement of personal business enterprises. In his resignation he recounts his own activities and earnestness in discharging the duties of receiver. Especially his diligence in searching for property belonging to the Church. On this head, and on the results of his activity, he said: "Myself and attorneys began a vigorous search, however, which was kept up unrelentingly, for a time almost night and day, and as a result of this search and long tedious examinations and investigations, litigation, etc., and the use of every means that we could command, dealing as we were with a people, who, as a unit, were hostile to us and our cause, I have succeeded in getting realty to the value of about \$900,000, and personal property to the value of about \$426,800 (\$255,589.11 is in cash), making a grand total in my possession, as heretofore reported to this court, of about \$1,326,000 worth of property. Thus it will be seen that from five to eight times as much property has been reduced to the possession of this receiver as was expected by him or any one whom he ever heard express an opinion upon the subjects. (*Deseret News*—Weekly—of July 26th, 1890, p. 158). This represents a much larger sum than the amount on the compromise arrangements upon which the litigants went up on appeal to the U. S. Supreme Court, and is due in part to subsequent seizure by the receiver, and in part to rents and dividends and increase of values in stocks and realty. See Dyer's report above cited.

21. "The appointment as receiver of an apostate 'Mormon,' known in the community [at the time, there was much modification in later years] chiefly for his bitterness of spirit and acidity of expression concerning all that relates to the Church of which he was formerly a prominent supporter, cannot be regarded by the Utah public in any other light than another exhibition of the unfairness which has characterized the whole proceedings to despoil the 'Mormon' Church of its property. . . . The court seems to have gone out of its way to give another thrust at a religion with which he differs and at a people whom it seems to delight to humiliate." (*Deseret News*—Weekly—of July 26th, 1890, p. 136). For court account of Lawrence's appointment see *News*, *Ibid.* pp 147, 148. Mr. Lawrence was required to give a \$300,000 bond, "with good and sufficient sureties." He was allowed \$300 per month as compensation for services, and \$150 per month for attorneys fees.

part of the tithing office block—northwest corner; the old council House corner—where the *Deseret News* building now stands, corner of Main and South Temple streets, several pieces of realty in Ogden, and the east half of Temple square, Salt Lake City, on which the great temple stands—and then nearing completion.²² Of these properties the Cannon house, Council House corner, the Whitney part of the tithing office block, and the Odgen properties, were adjudged as not escheatable by Judge Zane.²³ Suit remained pending respecting the east half of the Temple square. Later, *viz.*, 11th of November, same year, Judge Zane rendered a decision that the Tithing office, the Gardo House, the Historian Office and the Church Farm were all escheated to the government.

During the continuance of the service of the second receiver, Mr. Lawrence, various orders were made for special examinations and reports by the Utah supreme court as to the uses to be made of this Church property both as to the real estate and the personal property. Judge Loofbourow was appointed on the first of July to conduct such an inquiry, as master in chancery. This inquiry began on the 19th of October, 1891, and became important in the annals of the Church—as we shall see later—because of the interpretations it elicited of the scope of the Woodruff Manifesto discontinuing plural marriage in the Church. With reference to the escheated Church property, Judge Loofbourow, in his report, recommended that the escheated property be devoted to the benefit of public schools. This on the 15th of January, 1892. On November 12th, of the same year, the supreme court rendered a decision authorizing the use of the personal property of the Church under the direction of a trustee, for the building and repairing of houses of worship and the support of the poor. Leonard G. Hardy, counselor in the presiding Bishopric of the Church of the Latter-day Saints, was made the trustee for the expenditure of these funds, and was placed under \$500,000 for the faithful performance of his duties.

Before any action was taken in the expenditure of these funds, however, an event occurred which returned to the Church its

22. See *Deseret News*—Weekly—of Nov. 22, 1890, pp. 697-8 and 700.

23. See court proceedings in Church property cases, *Deseret News*—Weekly—Nov. 7th, 1891, pp. 639-40. Editorial comment, *Id.* p. 628.

others, accepted, much to the disgust of the radical wing of that party. The tender was made by the People's Party in recognition of the right of the minority to representation in municipal affairs;³⁰ and in further courtesy to their former opponents, the ticket thus made up was called the "Citizens Ticket." The four places on the ticket accorded the Liberals was one alderman and three councilors.³¹ The radical wing of the Liberal Party placed a ticket in the field and a bitter municipal campaign followed.³² The citizens ticket, however, was triumphantly elected by an average majority of 1,750 to 860.³³

Mr. Francis Armstrong, a prominent business man, was the mayor of this fusion administration, it was his second term. During this administration the city council presented to the Territory a site for Territorial or state buildings out of the corporation lands, on what was called "Arsenal Hill," on the north central part of the city plot, almost immediately at the foot of Ensign Peak.³⁴ The site was located by Mayor Armstrong, Gov-

30. "Whereas," began the series of resolutions on the subject, "We desire to recognize the fact that our political opponents, though forming but a minority of the voting population, contribute to the public revenue by the payment of taxes, and include within their number many citizens who are permanent residents of this city and Territory, and that they should therefore be accorded fair representation in the management of public affairs" (*Deseret News*—of Feb. 8th, 1888, p. 64).

31. *Ibid.* Mr. W. E. McCornick, a leading Salt Lake banker was named as the Liberal candidate for Alderman, and John E. Dooly, M. B. Sowles and Boliver Roberts for councilors.

32. At a meeting of the Liberal Party held on the 10th of February, the "fusion" movement was discussed, and denounced most vehemently; and when Governor West and others sought to defend it, riot and violence for a time threatened; and it was only by the most strenuous efforts that the meeting could be induced to listen to the defense of the movement (See *Deseret News*—Daily—Feb. 11th, also *S. L. Tribune* same date, 1888). Among the other things that greatly excited the meeting was Governor West's charge that some who opposed the fusion movement were "receiving profit and emolument from existing conditions, which they were anxious to perpetuate for their own personal and pecuniary benefit." "Do you refer to persons present," inquired the chairman, Judge J. B. Rosborough. "Yes" said the Governor. "Then I call you to order, sir," said the chairman. "Is it out of order because it is untrue, or because it is in bad taste," inquired the Governor. "I believe it is both; it certainly is in bad taste," said the chairman. "If it is untrue, I will withdraw it; but I am responsible for the taste of my remarks," replied the Governor. It turned out in the discussion that the Governor had in mind certain lawyers who were present who were drawing heavy fees for legal services which services were made necessary by existing unsettled conditions and strifes in the Territory, and the Governor "did not consider it legitimate politics to seek to perpetuate a public condition for the sake of getting fees out of it." (*Ib*).

33. See Election returns *Deseret News*—Daily—Feb. 14, 1888.

34. The matter of the capitol site was introduced by Mr. Heber J. Grant one of the city councilors, on the occasion of the last session of the 1886-1888 city administration the 28th of February, 1889. The following is an excerpt from the

ernor West, a committee from the legislature and a like committee from the city council³⁵ on February 29th, 1888.

The tract selected was a triangular shaped plot of about twenty acres. The apex pointed southward, directly facing the head of the state road, which runs southward to the point of the mountain twenty miles distant, in almost a straight line. From the apex the boundary lines of the tract diverged to the East and West to the base line which skirts a hill of mild acclivity, rising to the foot of Ensign Peak. From this site where the capitol of Utah now stands in splendor (erected 1913-1915), is a most magnificent view of Salt Lake Valley, including on the right a view of the south end of Salt Lake, which like a shield of burnished silver glistens in the sunlight, and the Oquirrh range—"a broken wall of light blue mountain, whose northernmost bluff buttresses the southern end of the lake, and whose eastern flank sinks in

City council minutes of that date: "Mr. Grant represented to the Council that for many years past land had been held by the city on Arsenal Hill with the tacit understanding that at some time State capitol buildings would be erected upon it. He therefore moved that in view of the recent trouble concerning the same a committee be appointed to select and present to the Territory a site for the capitol buildings, say about thirty acres, making a resolution to that effect." (*Salt Lake Herald*, of Feb. 29, 1888). "The recent trouble" referred to by Mr. Grant was a certain attempt on the part of one John H. Linck of Colorado to jump the lands on Arsenal Hill, on the plea that they were unoccupied government lands and subject to entry. He had taken possession of these lands in the latter part of February, 1888, by erecting a board shanty pitching tents and employing a force of men to erect a fence about them. The city authorities forcibly ejected the intruders and repossessed their property. The matter came up for hearing before Judge Zane in the third district court where the case was quickly disposed of in favor of the City. (See proceedings of the court in *Deseret News—Weekly*—of March 7th, 1888, p. 113, where the law bearing upon the subject is considered most ably by Judge Zane). There seems to have been a concerted scheme among a number of real estate men then about this time to "jump" a number of the public squares and park lands held by the city. A Mr. Alma H. Winn made an attempt upon the "Tenth Ward Square"—where the magnificent city and county building now stands—filing his claims and tendering the government price for expense of entry, which were rejected. Liberty Park, Union Square, and Pioneer square were all threatened by the land jumpers, but the decision of Judge Zane with reference to the Arsenal Hill city holdings put an end to attempts of these real estate land-grabbers upon city property. (See *Deseret News—Weekly*—of Feb. 22, pp. 81, 84, 85). Mr. Grant who moved the giving of the site for capitol to the Territory, was a son of Jedediah M. Grant, Salt Lake City's first mayor, and some years counselor in the First Presidency of the Church of the Latter-day Saints. He was born Nov. 22, 1856, in Salt Lake City. Rachel Ridgeway Ivins, was his mother.

³⁵ The city council committee was as follows: W. W. Riter, Thomas G. Webber, W. S. McCormick, James Sharp and Geo. D. Pyper; the legislative committee, Hons. I. W. Shurtliff and Thomas Marshal of the council, and Hons. Wm. H. King, E. S. Kimball and E. D. Hoge of the house. (*Deseret News—Weekly*—of March 7th, 1888).

was based chiefly upon excerpts from extreme and angry utterances of Mormon leaders during times of stress, and the disorders of "Echo Canyon War" times, rather than upon a careful analysis and synthesis of the testimony actually before the court. And unquestionably the decision of the court was influenced by the felt need of excluding from citizenship those whose votes would be cast against the Liberal party in the pending election. But for all that the decision seems to have settled the judicial policy of the Utah courts for some years with reference to the admission of Latter-day Saint aliens to citizenship. "No Mormon need apply," was the common parlance in which the conclusion was announced when the acquiring of citizenship by Latter-day Saints was mooted.

In the latter part of September, 1889, People's Party clubs began to be organized, the first in the 7th ward, September 28th.⁴²

Although the Liberal Party's nominating convention was not to be held until the 14th of January, 1890, and the People's Party nominating convention not until the 27th of the same month, and the election would not be held until the 10th of February of the following year, yet political rallies, torch-light and daylight processions, leading to great political excitement, began early in November. On the 2nd of that month the first Liberal Party torch-light procession was held, and more than two thousand men were in line. A second parade of the kind was held on the night of the 29th of the same month, said to be the greatest affair of its kind ever seen in Utah. A great Liberal drum corps was organized and led the procession, bonfires and red lights illuminated the line of march. Though it was mid-winter there were out door rallies. At one of these, held on the day following Christmas, the Liberals erected a flag pole one hundred and ten feet high. Not to be outdone in things of this sort the People's Party held rallies

of the Mormon people. The evidence was conflicting, the testimony of Latter-day Saints denying the imputations of disloyalty laid upon these ceremonies, the testimony of apostate Mormons, in the main, alleging disloyalty. One notable exception in the latter class was Mr. E. L. T. Harrison of Godbeite movement fame—who insisted that there was nothing tending to disloyalty in these ceremonies (See *Deseret News—Weekly*—of Nov. 30th).

42. A full account of this organization, and of its constitution and principles is published in *Deseret News—Weekly*—of Oct. 5th, 1889.

and organized parades equally gigantic in proportions, and even surpassing in numbers the Liberal parades, and rallies. The Liberal Party was led by Judge Orlando W. Powers, late of Michigan, but who had acted for a time as one of the United States district Judges of Utah, and who, it will be remembered, had failed of confirmation in his appointment by the United States senate. The People's Party was led by Franklin S. Richards, the leading attorney for the Church in those troublous years. The Liberal Party candidate for Mayor was Geo. M. Scott, a hardware merchant of the city since 1871.⁴³ The People's Party candidate was Spencer Clawson, a prominent young business man, a man of good family, a native of the city, the son of Bishop Hiram B. Clawson. Interest in this municipal election was nation wide. Not a paper of any prominence in the United States but what both before and after it occurred commented upon it. Indeed so far was public opinion aroused in the event, and so generally was the sympathy of that opinion on the anti-Mormon side, that it was thought necessary by the Chnrch authorities to send representatives of the Latter-day Saints to the East to stem the tide of adverse editorial opinion if possible.⁴⁴ Little could be done, however, though interviews were obtained and special articles were written, and editorial comment influenced to some extent by presentation of the pro-Mormon side of the contention. Yet in the main the press face was set hard as flint against the Mormon community, and nothing of moment could be accomplished.

There were charges of intent of corruption on both sides. In anticipation of frauds in both registration and in conducting the election, the Liberal Party having the control of both the registration and the election machinery, through the appointments

43. Mr. Scott was a native of New York State, born in 1835. In 1852 he went to California via Isthmus of Panama, where he remained until he came to Utah in 1871 and established himself in the hardware business, especially in mining machinery. "Biographical Record"—1902—p. 476.

44. These representatives were Elder John Morgan, late president of the southern states mission, and Brigham H. Roberts, at the time associate editor of the Salt Lake *Herald*. They sought representation through the New York, Philadelphia, Boston, and Chicago papers. Geo. Q. Cannon operated in the same interest at Washington, D. C., among his former congressional associates in Congress, some of whom were men of national influence; but all to little or no purpose—the American people were set in their convictions against the Latter-day Saint community, and nothing apparently could change them.

made by the Utah commission⁴⁵—ex-Police Inspector Bondfield of Chicago, with other detectives, was employed by the People's Party to watch their interests and prevent or expose frauds.

The election resulted in a victory for the Liberal Party, its majorities for the city officers running, in round numbers from eight hundred to four hundred, and the city council by majorities with even less variation.⁴⁶

There were general charges of fraud in the organs of the People's Party, the *Deseret News* and *Salt Lake Herald*, but there was nothing exposed that effected the general results. The Utah commission in its report to the Secretary of the Interior, dated August 22nd, 1890, expressed the belief "that the election was a fair one" and they had "no doubt that the Liberal Party fairly won the day." Judge Powers was of the same opinion.⁴⁷ The Utah commission being in complete sympathy with the Liberal Party gave practically no heed to the "hundreds of affidavits" that were tendered them both as to registration and election frauds, and allowed such arbitrary and unlimited administrative powers to their appointees, both to registration officers and judges of election—of which the Liberal Party had in each precinct a majority—that it was practically impossible to get by them with charges of corruption. The commission's report to the Secretary of the Interior—22nd of August, 1890—on this February election should be considered in connection with an editorial review of it by C. W. Penrose of the *News*, and especially with reference to letters from the Editor to the commission both previous to the election and afterwards, in which he refers to many registration and election frauds accompanied by affidavits, but all of which though mentioned in the commission's report, was lightly set aside by them.⁴⁸

45. All five of the registration officers in Salt Lake City were non-Mormons and four out of the five became nominees of the Liberal party in the election.

46. For the returns of the election see *Deseret News*—Weekly—of Feb 22, 1890.

47. "We won because we had the most people on our side." Powers Interview in the San Francisco *Chronicle*, copied into *Deseret News*—Weekly—March 8th, 1890.

48. In the Penrose letters spoken of in the text, reference is made to the circumstance of two of the registration officers of the city making a trip by special car over the Rio Grand Western, and registering "wholesale, gang after gang of employees found at various points between here [Salt Lake City] and the Colorado line," a distance upwards of two hundred miles. A few affidavits "out of a

Three councilmen from the fourth ward of the city were elected by the People's Party, but the certificate of election was given to their defeated opponents. On an appeal to the third district court through *mandamus* proceedings, Judge Zane declared the People's Party candidates elected,⁴⁹ and ordered the certificates of election to be given to them. An appeal was taken from this decision to the supreme court of the Territory. In its review of the case the supreme court unanimously confirmed the decision of the district court,⁵⁰ but the People's Party councilmen meantime were kept out of their offices for nearly eighteen months of a two years' term, while their defeated opponents had occupied their seats in the council during that time.

The Liberal administration rushed into extravagant expenditures for municipal improvements, and the criminal elements flocked into both Ogden and Salt Lake City as if they expected a toleration before unknown. In this they were not disappointed. Notwithstanding this, two years later, the same party was given a new lease of power. Mr. R. N. Baskin, a bitter anti-Mormon of many years standing was elected mayor. It must be said, however, to the honor of Mr. Baskin, that in this second Liberal administration he sought to restrain, and by the vigorous use of the veto power he did restrain some of the reckless extravagance of the party, bent, apparently, not only upon looting the city treasury, but also upon ruining the city's credit. By the end of four years of Liberal rule the people were glad enough

large number," supporting the charges were sent to the Commission. "I also send you," said the editor to the commission, "a few out of a very large number of affidavits concerning the conduct of the registrars, sitting as a court of first and last resort and depriving hundreds of legal voters of the right to cast their ballots at the Salt Lake City election. And further, I add some samples of hundreds of other affidavits, showing that the judges of election violated the law in rejecting votes offered under the provision of section 207, Revised Statutes of the United States." (*Deseret News—Weekly*—of Dec. 20th, 1890, pp. 831-33). Dealing with this communication to them the commission loftily said: "What purported to be affidavits of several parties accompanied the communication, but as none of the parties purporting to have made them were known to us, or ever heard of by the Commission, with one exception, the commission had no means of knowing whether they were deserving of weight and credence, even if the facts alleged in them were worthy of notice." (Utah Commission Report, 22 Aug., 1891, p. 16-17). The commission evidently had no desire to investigate the charges made.

49. See Zanes decision in full *Deseret News—Weekly*—of March 1st, 1890.

50. Utah Reports, Vol. VII, pp. 252-5. This decision was not rendered until June, 1891.

to be rid of it, Gentiles as well as Mormons, and so in the municipal election of November, 1893,⁵¹ they united on a citizen's ticket, headed by Mr. Baskin for mayor, who had won the confidence of the people by his sturdy resistance to the extravagance and dishonesty of the Liberal City Council. In this election the citizen's movement was successful. They elected the Mayor and all the city officers, except treasurer, and ten out of the fifteen city council, and Liberal Party rule came to an inglorious end in Salt Lake City.⁵²

51. The legislature had meantime changed the time of holding the biennial municipal elections in Utah from February of the even years to the first Tuesday in November of the odd years, at which time the General Territorial election was also held.

52. Lest it might be thought that the view here presented of the Liberal rule in Salt Lake City is a prejudiced one, I give a few statements and excerpts from the "address to the voters," issued from the citizens rally held in the Salt Lake Theatre on the 4th of November. "The municipal government now in power, and which we are endeavoring to depose, has had during the term of its existence, available assets taken from the people amounting to more than \$2,100,000.00.

"The excuse offered by the present leaders of the Liberal party for the City Council's extravagant expenditures of over \$2,000,000 is, that it was expended in necessary public improvements which have been beneficial to the city, and furnished work for laboring men during the dull times prevailing for the last year. . . . That this apology is but a cunningly devised artifice to deceive the voting tax payers becomes at once apparent upon an investigation of the city auditor's books which show that the total cost of street paving in the city is \$238,240; the expenses of laying all the sidewalks are \$31,668. The city has paid on the joint building account \$129,800, and the sum of \$86,000 for work on the gravity sewer. These are the improvements to which the Liberal party in its platform and by its speakers directs your attention, when offering an excuse for the expenditure of over \$2,000,000 by the City Council, 'whose progressive policy' has just been endorsed in the platform adopted at their recent convention; yet when these various amounts are added together they aggregate but 485,738. \$1,400,000 more has disappeared from the city treasury. What has become of it? Where are the improvements that have been made with this enormous fund? Do you wonder that people have forgotten their party politics in a desire to rid themselves of such an administration? . . . The council's extravagance has been such as to alarm capitalists who have hitherto been glad to purchase our bonds at a premium. As a result the corporation has lately found itself unable to obtain money with which to conduct its reckless course of expenditure and has been compelled to sell our bonds for 60 per cent of their value with a provision for a redemption of the warrants it has been forced to issue, and which promises to pay are hawked about the city at ruinous discounts to the injury of the workingmen and other creditors of the corporation, and to the shame and discredit of all citizens whose greatest pride is their business integrity."

"Respecting the moral status of the city under the last two years of Liberal rule—and they began in the first term of that rule as did also the reign of extravagance expenditure; the . . . scenes at the sessions of the Council during the last two years, which scenes brought the blush of shame to the cheeks of decent people, where all rules of courtesy toward each other and the mayor were violated; bad as were the reports of these meetings as recorded in the city press, their columns did not tell all that could have been said but were edited and eliminated in the interest of decency and respectability, the billingsgate, the blackguardism, the profanity which characterized so many sessions of the council could not be detailed in the columns of respectable newspapers.

Meantime through these years in which other things have been considered, the relentless prosecution of men for maintaining their family relations under the plural marriage system of the Church, was going on. The records show that more cases were prosecuted under the first Cleveland administration than under all the Republican administrations preceding it;⁵³ and in the first session of the 50th Congress, 1888, there was a sharp and unpleasant controversy in the house as to which of the great national parties was to be credited with the overthrow of the "Twin Relic." The Republicans claimed the initiative and earnest prosecution of the work, until the end was in sight; the Democrats insisted that during the Cleveland administration "and only through his administration," said one congressman, "has this evil been brought to bay and extinguished." It is due to the truth of history, however, to say that the increase in the number of convictions had in the latter part of the Cleveland administration, was due to the fact, not of increased vigilance or vindictiveness in the administration of the law, but because the federal judicial appointees of the Cleveland administration were dis-

"It is notorious that in the employment of labor on the public works discriminations have been regularly made against some people in favor of transients, and that class of floating humanity who would be of service at the polls on election day. . . . Houses of ill-fame, gambling hells, low variety halls, and vile groggeries have sprung up and flourished under this administration if not by its direct protection, and the council has stood stubbornly in the way of the Mayor, persistently thwarting his efforts to suppress these vile establishments and agencies for the destruction of morals of young and old, as it has opposed him in his efforts to enforce the law against Sunday saloons."

These excerpts but indicate the charges against this maladministration of the Liberal party. They are endorsed by the foremost Gentle citizens of Salt Lake, as well by the Latter-day Saints. For the address in full see *Salt Lake Herald*, of Nov. 5th, 1893; also *Deseret News—Weekly*—of Nov. 4th, 1893.

53. The following report of convictions under the anti-polygamy laws was made to the house of representatives of the 50th Congress, 1st sess. under date of Sept. 13th, 1888, by the acting U. S. Attorney General:

"There was one conviction in Utah in March, 1875; and one in April, 1881; in October and November, 1884, one in Idaho and three in Utah; in 1885, beginning with the March term, 39 in Utah and 16 in Idaho; in 1886, 112 in Utah and 20 in Idaho; in 1887, 214 in Utah and 6 in Idaho, and in 1888, 100 in Utah and 5 in Idaho—in all 589 convictions. There have been collected in Utah fines and costs in the above cases to the amount of \$45,956.90, and in Idaho to the amount of \$2,351.10—in all \$48,208 of fines and costs, and in Utah in April, 1886, a forfeiture of \$25,000.

Very Respectfully,

(Signed) G. A. JENKS,
Acting Attorney-General.

The Speaker of the House of Representatives.
(Congressional Record 50th Congress, Vol. 19, Part 10, p. 923^r).

posed to pass less severe sentences than their Republican predecessors had done, the element of mercy entered into the administration of the law, and men regarded the time as opportune to rid themselves of the charges against them, and came from retirement and exile, pleaded guilty, and often received but half the amount of penalty hitherto inflicted upon violators of the law in this kind.⁵⁴

It appears that President Cleveland like some Democratic members of the 50th Congress believed that the question of polygamy in Utah was a settled issue, for in his fourth annual message to congress he said:

"Though prior to March, 1885, there had been but six convictions in the Territories of Utah and Idaho under the laws of 1862 and 1882, punishing polygamy and unlawful cohabitation as crimes, there have been since that date nearly six hundred convictions under these laws and the statutes of 1887; and the opinion is expressd that such a firm and vigilant execution of these laws and the advance of ideas opposed to the forbidden practices, polygamy within the United States is virtually at an end."^{54½}

Yet notwithstanding the satisfactory progress reported from these high sources against the plural marriage feature of the Church of the Latter-day Saints, still more drastic legislation

54. See unlawful cohabitation cases as they are recorded in Jensen's Church Chronology, 1886-1889, and observe how under sentences passed by the Cleveland appointed Judges give, almost invariably, less harsh sentences than under their Republican predecessors; imprisonment often being omitted. Note also the increased number of those who plead guilty before the same judges for the reason given in the text. In this connection also should be remembered the statement of President Taylor when going into retirement that the severity of the crusade, begun in 1885, was pushed to extremes in order to embarrass the then incoming Cleveland administration (*Deseret News*—Weekly—of Feb. 25th, 1885, p. 82). It was while Judge Sanford, Cleveland's appointee for chief justice of the Territory occupied the bench in Utah, that Geo. Q. Cannon went into court and pleaded guilty, as also many other prominent brethren.

54½. Messages and Papers of the Presidents, Vol. VIII, p. 794. The President also reported the progress of the escheat proceedings against the Church as follows:

"Suits instituted by the Government under the provisions of the act of March 3, 1887, for the termination of the corporations known as the Perpetual Emigrating Fund Company and the Church of Jesus Christ of Latter-day Saints, have resulted in a decree favorable to the government, declaring the charter of these corporations forfeited and escheating their property. Such property, amounting in value to more than \$800,000, is in the hands of a receiver pending further proceedings, an appeal having been taken to the Supreme Court of the United States." (*Ibid*).

against the polygamist part of the Utah community was being urged upon congress. This legislation was crystalized in what was known as the "Struble Bill,"⁵⁵⁵ of which Mr. Robert N. Baskin, representative of the Utah Gentiles at the capital, was the real author, in which fact he took great pride.⁵⁵⁶ In substance the bill, according to the man who drew it, provided "that no person living in plural or celestial marriage, or who taught, advised or counseled any person to enter into polygamy; or who was a member of or contributed to the support, aid, or encouragement of any organization that taught or sanctioned that practice; or who participated or aided in the solemnization of any polygamous marriage, should vote, serve as juror or hold any office in the Territory. The bill also required each person, upon applying for registration as an elector, to show that he was qualified as such by taking the test-oath, the form of which was therein prescribed."⁵⁶

The test oath referred to in the quotation was practically identical with the somewhat celebrated "Idaho test oath."

This oath had been embodied in a Territorial law of Idaho, approved by the governor—Bunn—on the 3rd of February, 1885. It had for its purpose the disfranchisement of the Latter-day Saints in Idaho. Its constitutionality was affirmed by the courts of Idaho, and the result had been that the Latter-day Saints in that Territory were practically disfranchised. In the election of 1888, in order to rid themselves, if possible, of intolerable political conditions, large numbers of the Latter-day Saints withdrew from membership in the Church, that they might qualify as electors by taking the test oath to the effect that they were not only not bigamists or polygamists, but that they were not even members of "any sect or organization which teaches, advises, or encourages the practice of bigamy or polygamy, or any other crime defined by law, as a duty or privilege resulting, or arising

55. More properly the Cullom-Struble Bill, since Mr. Cullom of Illinois, introduced the measure in the Senate, as Mr. Struble, of Iowa, did in the house; and in each case it was referred to the committee on Territories, of which the two gentlemen named were the respective chairmen.

556. See Baskin's "Reminiscences of Early Utah," pp. 183-6. He refers to it with great satisfaction, and while saying that it did not pass, "its pendency was 'the last straw which broke the camel's back'". (*Id.* p. 186).

56. Baskin's Reminiscences, p. 183.

from the faith or practice of such order or organization." In some counties those who thus withdrew from the Church were permitted to register and vote, in others they were denied that privilege by the arbitrary action of the registration and election officers. Large numbers of them voted, however, but failed of the attainment of their purpose since the anti-Mormon candidate for congress, Fred. T. Dubois, Republican, was successful at the polls,⁵⁷ over Jas. H. Hawley, Democrat. The validity of the Idaho "test oath law" was sustained by the supreme court of the United States, February 3rd, 1890, in its decision in the case of *Davis v. Beason*, in which the court held that:

"Bigamy and polygamy are crimes by the laws of all civilized and Christian countries. They are crimes by the laws of the United States, and they are crimes by the laws of Idaho. . . .

. . . If they are crimes, then to teach, advise, and counsel their practice is to aid in their commission, and such teaching and counseling are themselves criminal, and proper subjects of punishment, as aiding and abetting crime are in all other cases."

The court also held that under the authority granted to the Territory, its "legislature was authorized to prescribe any qualifications for voters, calculated to secure obedience to its laws." The court also held that the part of the law of Idaho "requiring every person desiring to have his name registered as a voter to take an oath that he does not belong to an order that advises a disregard of the criminal law of the territory, is not open to any valid legal objection to which our attention has been called."⁵⁸

It was this decision that encouraged the Utah anti-Mormon Ring to think a similar law could be enacted by congress to dis-

57. Mr. Fred T. Dubois, the leading Anti-Mormon politician of Idaho, had formerly been the U. S. Marshal for Idaho, and a relentless prosecutor of the brethren. In 1886, in open court, he declared "that he had a jury impaneled to try Mormon unlawful cohabitation cases, that would convict Jesus Christ if he were on trial." The expression of Mr. Fred T. Dubois, was uttered a few days ago, the making of the assertion being admitted by him in open court under oath (*Deseret News—Weekly*—of May 19th, 1886, p. 279). See also *News* of Nov. 17, 1886, p. 659. See *Deseret News—Weekly*—for 7th and 14th of November, 1888. For account of the remarkable action of the Latter-day Saints of Idaho in withdrawing from the Church to effect a political purpose, and the comments for and against such action; see daily impression of the Salt Lake *Herald* and *Tribune* from 1st to the 14th of November, 1886.

58. See 133, U. S. Reports, pp. 299-302. Chief Justice Field delivered the opinion.

franchise the Latter-day Saints in Utah, and thus deliver political control of the Territory over to the minority who had so long hungered for it. The justification for this statement will be found in the fact that such a law was not necessary to extirpate polygamy and polygamous living, for men were being sent to prison by hundreds every year. So successful were the operations of the law against these offenses that one of the Utah commission, Gen. John A. McClelland refused to sign with the rest of the Commission the report for September 23rd, 1889, making recommendations increasing the severity of the laws and making more effective their already cruel administration; but on the contrary made a separate report from the majority deprecating the newly proposed severity, in the course of which, when commenting upon the effect of the laws as they had of late years been administered, he said:

"These laws are far-reaching and stringent. They bespeak an unusual remedy for an obstinate and formidable evil. They extend to all offenders convicted of violating them not only the penalty of fine and imprisonment, or both, but forfeiture of the elective franchise and eligibility to hold office or to perform jury service. More than that, they cautiously require, even of non-offenders, a test oath involving divers unusual precedent conditions to the exercise of the elective franchise or to the holding of office or serving as a juror. . . . I have already said that the existing laws are working well, having cited accumulated proofs of the fact. To "let well enough alone" is a wise and safe rule. I would therefore recommend general adherence to it. Further aggressive legislation trenching further upon civil and political privileges would be injurious rather than beneficial. It would be regarded by the people affected as revolutionary and despotic. Savoring, under the circumstances, of persecution for religious opinion, it would provoke resentful feelings, an obstinate and reactionary mood. Such has been the effect of such legislation in all like cases. No religion was ever finally destroyed by either armed or unarmed proscription."

Even Mr. Baskin does not claim for the bill he formulated the virtue of being necessary to the suppression of polygamy, but says plainly—even bluntly—"The purpose of the bill was to

59. Utah commission Report for 1889, pp. 27, 37.

wrest from the hands of the priesthood the political power which it had wrongfully usurped and shamefully abused.⁶⁰

The Struble bill, however, though reported from the house committee and placed upon the house calendar never became a law. The reason was that a number of things culminated in the summer of 1890 which led to an action on the part of the Church authorities, and of the Church itself, which was to prove an important turning point in the history of the Church in the New Dispensation. *This was the issuance of the celebrated Woodruff manifesto, discontinuing the practice of plural marriages in the Church.*

Of the several things referred to as culminating in the summer of 1890, and producing this event, was consciousness on the part of the leading Church Authorities of the fact of the general helplessness of the Church against the forces of the federal government arrayed against her. Hundreds of her leading elders were in prison; more hundreds had passed through prison terms; more hundreds had been in exile—all to no purpose, except to bear witness of the sincerity of the people in their acceptance of the principle for which they suffered. The Church property, real and personal, had escheated to the federal government, and was now in its possession, in value about one million dollars. The constitutionality of the laws escheating this property had been affirmed by the supreme court of the United States. Every effort to escape the pressure of the federal laws and the policy of the federal government by acquiring statehood for Utah had failed.⁶¹ A most earnest, official denial of many things charged against the Church and the Latter-day Saint community, as well as a declaration as to many other things commonly believed to enter into and comprise its policy—the paper covering all the points of the “Mormon” controversy, past and present,—and signed by the First Presidency, the entire Quorum of the Apostles, and their counselors, had evidently not impressed the country to win it to the side of the Latter-day

60. Baskin's Reminiscences, p. 184.

61. Although for a time in 1880, there seemed good reasons to hope that statehood might be granted, of which further in a more appropriate place.

Saints.⁶² The courts had recently (November 20, 1889), decided that "Mormon aliens," though in all things else qualified, could not become citizens of the United States, because of their membership in the "Mormon Church." Political control of Salt Lake City, a richer political asset for the party possessing it than the political control of the Territory, was lost to the People's Party, which is to say to the Latter-day Saint community. The supreme court of the United States had affirmed the constitutionality of the Idaho test oath, and there was the pendency of the Struble bill in congress embodying the same test oath as that of the Idaho law which meant the disfranchisement of the entire Latter-day Saints population of Utah, or a wholesale abandonment of membership of the Church—and hence its destruction. The congress seemed not only willing, but eager to enact it into law. There was a certain restiveness manifested among many of the Church membership that desired the cessa-

62. The official article bears date of Dec. 12, 1889, and is published in full in the *Deseret News* of Dec. 21st of the same year. (Also in *Mill. Star*, Vol. LII, p. 33-35). The article was published in consequence of "Gross misrepresentation of the doctrines, aims and practices of the Church of Jesus Christ of Latter-day Saints. promulgated for years and recently revived for political purposes and to prevent aliens, otherwise qualified, who are members of the Mormon Church, from acquiring citizenship." Its denial that the Church claimed of the right to take human life for apostasy or any other crime, has already been quoted in this History (See chapter LXXXV). It likewise denies the charge that the Church claims the right to supersede the civil courts in any respect. "While offering advice for the welfare of its members in all conditions in life," said the document, "it does not claim or exercise the right to interfere with citizens in the free exercise of their social or political rights." "Free agency and direct individual accountability to God are among the essentials of our Church doctrine." The utterances of prominent men in the church at a time of great excitement are not to be regarded as indicating disloyalty to the government or its institutions. Members of the Church have never offered or intended to offer any insult to the flag of the country, "but have always honored it as the ensign of law and liberty." The Church does not claim to be an "independent, temporal Kingdom of God, or an imperium in imperio aiming to overthrow the United States or any other civil government." The Church has been organized by divine revelation preparatory to the second advent of the Redeemer. . . . Its members are commanded of God to be subject unto the powers that be until Christ comes, whose right it is to reign." Church government and civil government are distinct and separate in our theory and practice. . . . We desire to be in harmony with the government and people of the United States as an integral part of the nation. . . . Notwithstanding the wrongs we consider we have suffered through the execution of national laws, we regard those wrongs as the acts of men and not of the government. . . . "We earnestly appeal to the American press and people not to condemn the Latter-day Saints unheard . . . In the name of justice, reason, and humanity, we ask for a suspension of national and popular judgment until a full investigation can be had and all the facts connected with what is called the 'Mormon' question can be known. And we appeal to the Eternal Judge of all men and nations to aid us in the vindication of our righteous causes." (*Deseret News*, of 1889, p. 810).

tion of the conflict by concessions to the demands of the country respecting the plural marriage practices of the Church.⁶³ There was the counsel of powerful non-Mormon friends, some of them among the foremost men of the nation,⁶⁴ urging the Church leaders to abandon this practice which arrayed the whole nation against the Church and made defense of the Latter-day Saints

63. This was manifested by the number of those who were willing, against the general policy of the Church leaders, to promise obedience to the anti-polygamy laws for the future and thus escape punishment; by the submission of the constitution of 1887 for the proposed state of Utah, containing the following concession to the sentiment of the country—"Bigamy and polygamy being considered incompatible with a republican form of government, each of them is hereby forbidden and declared a misdemeanor." The declaration was made effective by providing the penalties and making these parts of the constitution unrepealable and unamendable except with the approval of the Congress of the United States and the proclamation of the President of the United States; this constitution had been accepted by the people, by a vote of 13,195 in its favor, as against 504 who voted against it. There were murmurings and complainings among the people on account of the long-continued controversy, which gave no promise of coming to an end. "I hear of murmuring," said Geo. Q. Cannon, in a notable sermon delivered on the 14th of July, 1889. "I hear of murmuring, this is a time of trial for the Latter-day Saints. We have now for upwards of four years been undergoing persecution. . . . One class have been greatly tried," meaning those who were involved in the plural marriage system of the Church. He predicted that the others would also be tried and all would need the help of God equally and hence they should be united in sustaining each other. (The sermon in full is published in *Deseret News—Weekly*—July 20th, 1889, pp. 111-115). See also note 64.

64. The matter is alluded to in the sermon cited in the preceding note. "I have been assured hundreds of times, by men, too, of wisdom and discernment, that our overthrow was inevitable unless we conformed to the demands of public opinion and renounced all peculiarities of faith; that the world was arrayed against us, and that it was folly to suppose we could withstand these continued assaults upon us.

See also Woodruff's journal, *Ms.*, for 1889-1890, *passim*. President Geo. Q. Cannon in a discourse delivered at Logan, November 1st, 1891, commenting on the issuance of the Woodruff manifesto, said: "This doctrine to which allusion has been made—the doctrine of celestial marriage—I heard one of the Twelve say that if he were called upon to testify, he believed he could say truthfully that the Latter-day Saints were more pleased to hear the manifesto than they were to hear the revelation given on celestial marriage. Now, I could not say that, and yet I believe there is a great element of truth in the statement. I believe that it was a very great trial to this Church, and I believe, too, that there are a great many people glad that the manifesto has been given, because they feel relieved in their feelings. And does not this account, in part at least, for the manifesto? If this statement made by this Apostle is true—and I am not prepared to question it—what does it betoken? It betokens that, though this has been a doctrine of the Church for nearly fifty years, there is still a large element unprepared to carry it out; at least, they have not obeyed it. (*Deseret News—Weekly*—of Nov. 21st, 1891, p. 690). President Woodruff also refers to the matter in a discourse delivered in Logan Tabernacle, Nov. 1st, 1891. Alluding to the issuance of the manifesto, he said, "I have been called upon by friends outside of the Church, and urged to take some steps with regard to this matter. They knew the course which the government was determined to take. This feeling has also been manifested more or less by members of the Church." (*Deseret News—Weekly*—of Nov. 14, 1891, p. 660).

so hopeless a task for them. A special day of fasting and prayer appointed by the First Presidency of the Church "for all the Latter-day Saints throughout these mountains," on the 23rd of December, 1889—the eighty-fourth anniversary of the birth of the Prophet Joseph Smith—and faithfully observed by the Latter-day Saints, appeared to bring no immediate results. The purpose of the fast was thus described in the official announcement of it. The saints were to join in supplicating the Lord on that day for his Holy Spirit to be poured out upon his servants and upon all the Saints as a witness that he was still with them. Also that the enemies of Zion might be confounded in their wicked works and designs, and that the hearts of the rulers and people of the United States might be softened to the end that they might be induced to deal justly and mercifully with the Saints, and be willing to hear their cause and grant to them those rights and privileges which belong to citizens who are true to the constitution and institutions of the United States. "All this," said the announcement, "should be done in the spirit of meekness and faith. There ought to be no expressions or desires for wrath and judgment upon those who have persecuted, reviled, and falsely accused us and who seek to oppress us, but rather that they may turn from their wicked ways and be led to do right"⁶⁵

65. *Deseret News*—Weekly—of Dec. 21st, 1889, pp. 810-11. "The fast was to commence at sun down on the 22nd inst. and continue until sundown of the 23rd, and it is expected that the members of the Church will have special prayer meetings at home, and in their ward assemblies, and in those places set apart for those purposes." (*Id.*)

"These are times that try men's souls," said the introduction to the announcement of the fast. "The elements of the spiritual world seem to be in commotion in correspondence with the tumult of the material elements and the upheavals in society. We are approaching nearer and nearer to the grand consummation. The tribulations of the latter days, predicted by the Saviour, are upon us as harbingers of 'the end.' Patience and endurance, firmness and faith are essentials to our victory over the powers of evil, which are raging with great wrath because they know they have but a short time. . . . It seems as though the flood-gates of the nether regions had been thrown wide open to let loose the foul tide of calumny and the fierce forces of the Evil One. . . . Clouds, trials, difficulties, struggles, contumely, disfranchisement and the world's hostility threaten on the one hand, while the siren's song of sunshine, pleasure, and sensuous drifting down the smooth stream of life is heard on the other. . . . We need the sustaining hand of Omnipotence, no matter how strong we may be. . . . If God be with us we are sure to prevail. But of ourselves we cannot hope for victory. It is therefore necessary that we humble ourselves before the Lord and seek, in faith, that aid without which we will be weak indeed." Hence the day of fasting was proclaimed

At the October conference following, this act of President Woodruff's was submitted to the Church for its approval or disapproval. Following the reading of it at the morning session on the 6th of October, Elder Lorenzo Snow, of the council of the Twelve—and the President of the council, moved the following action:

"I move that, recognizing Wilford Woodruff as the President of the Church of Jesus Christ of Latter-day Saints, and the only man on the earth at the present time who holds the keys of the sealing ordinances, we consider him fully authorized by virtue of his position to issue the Manifesto which has been read in our hearing, and which is dated September 25th, 1890, and that as a Church in General Conference assembled we accept his declaration concerning plural marriages as authoritative and binding."

The vote in support of this motion was unanimous.⁷⁰ Geo. Q. Cannon followed with a discourse in justification of the action taken by President Woodruff. That justification was based upon two considerations: First, when a commandment is given to the children of men and they are effectively hindered by their enemies in carrying out that commandment, then it is for God to accept their offering and to require that work at their hands no more; second, the authority which gives a commandment has the right and power to revoke it.

The first ground of justification is illustrated by a passage in a revelation given to the Church through Joseph Smith the Prophet, 19th of January, 1841, concerning the commandments which the Lord had given to his people to build a city and a temple to his name, in Jackson county, Missouri, but who had been hindered by their enemies in carrying out this commandment. The passage is as follows:

"Verily, verily I say unto you, that when I give a commandment to any of the sons of men, to do a work unto my name, and those sons of men go with all their might, and with all they have, to perform that work, and cease not their diligence, and their

⁷⁰. See Minutes of Conference in *Deseret News—Weekly*—of Oct. 11th, 1890, p. 526.

enemies come upon them, and hinder them from performing that work; behold, it behoveth me to require that work no more at the hands of those sons of men, but to accept of their offerings;

"And the iniquity and transgression of my holy laws and commandments, I will visit upon the heads of those who hindered my work, unto the third and fourth generation, so long as they repent not, and hate me, saith the Lord God."⁷¹

"It is on this basis," remarked Elder Cannon in his discourse, "that President Woodruff has felt himself justified in issuing this Manifesto."⁷² President Woodruff followed in the same strain:-

"I want to say to all Israel that the step which I have taken in issuing this manifesto has not been done without earnest prayer before the Lord. I am about to go into the spirit world, like other men of my age. I expect to meet the face of my Heavenly Father—the Father of my spirit; I expect to meet the face of Joseph Smith, of Brigham Young, of John Taylor, and of the Apostles, and for me to have taken a stand in anything which is not pleasing in the sight of God, or before the heavens, I would rather have gone out and been shot. . . . I am not ignorant of the feelings that have been engendered through the course I have pursued. But I have done my duty, and the nation of which we form a part must be responsible for that which has been done in relation to this principle.

"The Lord has required at our hands many things that we have not done, many things that we were prevented from doing. The Lord required us to build a Temple in Jackson county. We were prevented by violence from doing it. He required us to build a Temple in Far West, which we have not been able to do. A great many things have been required of us and we have not been able to do them, because of those that surrounded us in the world."⁷³

One of the difficulties anticipated on the part of the Church authorities was that some among the members of the Church would regard this step as a belated action. If this was to be the termination of this long controversy, the surrender of the prac-

71. Doc. & Cov., sec. CXXIV, verses 49, 50. That the matter had reference to the failure of the Saints to build the City and Temple in Jackson county, Mo. See verse 51; the principle, however, is of general application.

72. The discourse in full is published in the *Deseret News—Weekly*—of Oct. 18th, 1890, pp. 550-2.

73. *Ibid.*, p. 552. Where the discourse is given in full.

tice of plural marriage, why was not the surrender made sooner and the suffering of past years avoided—for more than *one thousand three hundred men* had endured imprisonment for this principle,⁷⁴ to say nothing of those who had suffered exile from their homes by flight, even to foreign lands, while others had gone into retirement in their own land to escape the punishment provided by the law. Why was not this manifesto delivered sooner and the people relieved of these trials through many years?

The answer made to that was: “*We have waited for the Lord to move in the matter.*”

Such was George Q. Cannon’s statement in his discourse at the time the “Manifesto” was adopted.⁷⁵ A year later referring to the same subject he said:

“God gave the command [i. e. for plural marriage to be practised by the Church], and it required the command of God to cause us to change our attitude. President Woodruff holds the same authority that the man did through whom the revelation came to the Church. It required that same authority to say to us, ‘It is enough. God has accepted your sacrifice. He has looked down upon you and seen what you have passed through, and how determined you have been to keep his commandments, and now he says, it is enough.’ It is the same authority that gave us the principle. It is not the word of man. Now, it is for us to obey the law.”⁷⁶

74. “Upwards of thirteen hundred men have been incarcerated in prison (this by Oct. 1890), going there for various terms from one or three months up to years. They have gone there willingly, as martyrs to this principle, making a protest that the heavens and the earth should bear record of that they were conscientious in espousing his principle.” Geo. Q. Cannon in Conference discourse Oct. 1890, *Deseret News*—Weekly—of Oct., 1890, p. 550.

75. “President Woodruff and others of us,” said Elder Cannon, on that occasion, “have been appealed to hundreds of times, I might say;—I can say for myself, that I have been appealed to many scores of times to get out something and to announce something. Some of our leading brethren have said: ‘Inasmuch as we have ceased to give permission for plural marriages to be solemnized, why cannot we have the benefit of that?’ . . . These remarks have been made to us repeatedly. But at no time has the Spirit seemed to indicate that this should be done. We have waited for the Lord to move in the matter; and on the 24th of September, President Woodruff made up his mind that he would write something, and he had the spirit of it. He had prayed about it, and had besought God repeatedly to show him what to do. At that time the Spirit came upon him, and the document that has been read in your hearing was the result.”

76. Sermon at Logan, 1st Nov. 1891, *Deseret News*—Weekly—Nov. 21, 1891, p. 691. In his sermon at the conference which adopted the Manifesto Elder Cannon had dealt upon this same theme; “There may be men here to-day who pride themselves on their foresight, and who take credit to themselves because they

But notwithstanding all this assurance from the Church leaders there were many of the Church members that were distressed in their spirits over the action which the Church had taken in respect of this principle. The Latter-day Saints were a sincere people. They had accepted this marriage doctrine as from God. They had suffered greatly on account of it. They were prepared to suffer more. The thought of surrendering it had never occurred to the great body of the Church, and they were slow to be reconciled to the action of the authorities of the Church, and after the general conference above alluded to, and after the discourses then delivered had been published, President Woodruff found it necessary to address himself at the stake conferences he attended, to this condition. At Brigham City, on one such occasion, he said:

"I wish to make some remarks upon the principle of revelation. Some have thought that revelation had ceased. But this is not the case. The Lord is with us, and gives us revelation. . . .

. . . I have received a revelation and a commandment from the Lord, which I have not revealed to any man, which I shall reveal to this assembly, and the command of the Lord I shall give to this people, is this: The Lord has revealed to me that there are many in the Church who feel badly tried about the Manifesto, and also about the testimony of the Presidency and Apostles before the master in chancery. The Lord has commanded me to put the following question to the Saints, and those

foresaw, as they allege, that which we have done to-day, and would lead others to believe that if their counsel had been adopted, if the views that they presented had been accepted by the people, it might have saved very serious consequences to us all and left us in a better position than that which we occupy today. But I, for one, differ entirely with this view. I believe that it was necessary that we should witness unto God, the Eternal Father, unto the heavens and unto the earth, that this was really a principle dear to us—dearer it might be said, in some respects, than life itself. We could not have done this had we submitted at the time that those of whom I speak suggested submission. We could not have left our own nation without excuse. It might have said, 'Had we known all that you tell us now concerning this we should have had very different views about this feature of your religion than we did have.' But now, after the occurrences of the past six years have been witnessed by this entire nation and by the world, and by God the Eternal Father and the heavenly hosts, no one can plead as an excuse that they have been ignorant of our belief and the dearness of this principle to us. . . . If no other result has attended what may be termed our obstinacy, these results, are at least, upon record, and they never can be blotted out. The imprisonment of these men [130 of them] the sufferings—the untold, unwritten, yea, the unmentionable, it may be said, sufferings—of wives and children, they are recorded in heaven and are known to men upon the earth, and they form a chapter that will never be blotted out." (*Deseret News*—of 1890, Oct. 18, pp. 550-1).

nitely abandoned without the expectation of its renewal as long as the present order of things remain.⁷⁹

4. The prohibition of polygamy was to be universal, as well in foreign countries as in the United States—the decrees against its practice were effective in all countries of the world.⁸⁰

5. Any one violating the inhibition of polygamy, promulgated by the manifesto, was liable to excommunication from the Church.⁸¹

Thus, officially, the practice of the system of plural marriage in the Church, clung to so tenaciously by the Church leaders and the Latter-day Saints generally, terminated.

In this matter of plural marriage the Latter-day Saints are neither responsible for its introduction nor for its discontinuance. The Lord commanded its practice, and in the face of the sentiment of ages, and in opposition to the teachings of their own traditions, many of the Saints obeyed the commandment, and in the midst of weakness, of great difficulties, and dangers sought to carry out the law as revealed to them. For about half a century they maintained its practice in the face of opposition sufficient

79. On this point the answers of Lorenzo Snow are enlightening: Q. Do you believe or expect now that it [polygamy] will ever be re-established? A. I have no expectation that it will be. I believe the revelation communicated to President Woodruff was for the purpose of stopping its practice entirely. . . . Q. You do not think there will be any lapse from this Manifesto? A. That is so. . . . Q. Does not future conformity with this manifesto depend upon whether the Lord should speak again upon the subject. . . . A. The Lord gave Joseph Smith revelations in regard to plural marriage; and so He has the right to restore that practice if He thinks proper. But it might be a thousand years, and it might be never. *Mr. Varian*; and it might be a month. *Apostle Snow*—And it might be ten hours; but I do not believe for a moment that the practice will ever be restored until the Lord comes Himself and then I do not know that it will be.

The answers of the other witnesses on this point were to the same effect. See Proceedings before the Master in Chancery, Judge Chas. F. Loofborrow, published in *Deseret News*—Weekly—of Oct. 24th and 31st, 1891, pp. 573-583, in the first number, and pp. 608-613 in the second; the 2nd number, in synopsis, contains the arguments in the case.

80. Replying to Mr. Varian, who with Mr. Joseph L. Rawlins, represented the federal government in this hearing, President Woodruff said:—"The Manifesto was intended to apply to the Church of Jesus Christ of Latter-day Saints every where in every nation and country. We are giving no liberty to enter into polygamous relations anywhere."

It could not be otherwise. The Church of Jesus Christ of Latter-day Saints is the Church universal. It is not the Church etc., for the United States, or of England, but of the whole world; and when its general conference acted in this matter, it acted for the Church in all nations—the Church in the whole round world. Its action prohibited plural marriage everywhere.

81. See Hearings before the Master in Chancery cited in 78.

to appall the stoutest hearts. They defended it in the public press, proclaimed it from the pulpit, debated it on the platform with all who chose to assail it, and practiced it in their lives, notwithstanding fines and imprisonments and exile followed as consequences. A whole generation had been born and had grown to manhood and womanhood in this marriage system, and the affections of family ties were entwined with it. Then, under the pressure of suffering brought upon the people through the laws of the United States, the Lord inspired the president of the Church to proclaim its discontinuance, and the people with sorrowful hearts submitted to the will of God thus expressed, and there the matter rests. If the labors and sufferings of the Church of Christ for this principle have done nothing more, this much at least has been accomplished—the Saints have borne testimony to the truth. And it is for God to vindicate his law in his own time, and in his own way.

One thing stands out in bold relief in this controversy respecting plural marriage—the surrender of the practice of it was no triumph for sectarian Christendom. The priests were soon distanced in the contest, and were nowhere in evidence at the finish. The controversy, in the last stages of it, was between the Latter-day Saints and the politicians, not with the priests, except as the latter stood afar off and shouted their support to their warring allies. It was to the force of effective government processes, rather than to the power of the sectarian churches that the Latter-day surrendered the practice of plural marriage. Scarcely to the state either; for as Mr. Varian, the U. S. district attorney for Utah, during the inquiry conducted before the master in chancery in the escheated property cases, passionately exclaimed, after the testimony of President Woodruff *et al* was given to the court—

"*They* [The Latter-day Saints] are not obeying the law of the land at all,⁸² but the counsel of the head of the Church. The law of the land, with all its mighty power, and all the terrible pressure it was enabled to bring with its iron heel upon this people, crushing them to powder, was unable to bring about what

82. This according to the report of the proceedings was "shouted" by Mr. Varian, "his voice reaching an angry tone." *Deseret News* account of the argument—Weekly—of Oct. 31st, 1891, p. 611.

this man did in an hour in the assembled conference of this people. They were willing to go to prison; I doubt not some of them were willing to go to the gallows, to the tomb of the martyr, before they would have yielded one single iota.⁸³

The next events in President Woodruff's administration are of a strictly ecclesiastical or religious character, the dedication of two temples, the one at Manti, and the other at Salt Lake City.

The Temple at Manti was dedicated in May, 1888. First there was a private dedication of it on the 17th by President Woodruff, George Q. Cannon and a number of the Twelve Apostles, among them Lorenzo Snow, President of the quorum, Brigham Young and F. M. Lyman; there were also a number of local leading brethren present. President Woodruff offered the dedicatory prayer.⁸⁴

It was a time when many of the leading Elders of the Church were in retirement, avoiding arrest by U. S. officials, hence this private dedication of the Temple. Daniel H. Wells was appointed President of the Temple, Anthon H. Lund to be his chief assistant, and J. M. Farnsworth as chief Recorder.⁸⁵ On the 21st of May the public dedicatory services took place continuing through three days. Immense throngs were in attendance, coming from all the surrounding settlements of Southern Utah with many leading brethren and sisters from all sections of the Church territory. During the services and on each of the three days there were spiritual manifestations enjoyed by some of the Saints present. In some cases the speakers were reported to be surrounded by halos, and others heard strains of music and soft

83. *Ibid.*

84. The same that was used at the public dedication of the temple a few days later, and found in full in the *Deseret News—Weekly*—of May 23rd, 1888, p. 297.

85. See Woodruff's Journal from 13th of May to the 19th, which gives an account of the journey to Manti—of the dedication and the return journey to Salt Lake City. One item mentioned by President Woodruff about the dedicatory services at Manti is of more than passing interest. "Before leaving," he writes, "I consecrated upon the altar he 'Seer Stone' that Joseph Smith found by revelation some thirty feet under the earth [ground], and carried by him through life" (Woodruff Journal May 17th, 1888). This is the "Seer Stone" that the Prophet Joseph Smith used part of the time when translating the Book of Mormon; the one he took from the well he was digging with his brother Hyrum, for whom the well was being dug, and spoken of in chapter VIII of this work note 2, which see.

chorus singing to which many scores gave their names as witnesses.⁸⁷ Others claim to have seen the spiritual personages of early leading Elders of the Church.⁸⁸

The capstone of the Salt Lake temple was laid on the 6th of April, 1892, thirty-nine years from the time the cornerstones were laid. It was estimated that about forty thousand people were present and participated in the exercises.⁸⁹

87. "A bright halo of light was seen by a number of persons over and around the heads of the following speakers—viz: Lorenzo Snow, Jacob Gates, Robt. Campbell, John Henry Smith, Francis M. Lyman, John W. Taylor and A. M. Cannon. Brother Canute W. Petersen, of Ephraim, [a very reliable and able man of affairs], observed this halo around the heads of all the speakers. While the dedicatory prayer was being offered by Brother Lorenzo Snow, near the middle of the prayer, during a pause, the words 'Hallelujah, hallelujah, the Lord be praised,' was uttered by a voice in a very soft and melodious tone, heard by Brother Lewis Anderson, one of our assistant recorders here." (*Mill Star*, Vol. L, p. 522; also *Deseret News*—Weekly—of May 30, 1888).

88. "On the 21st of May, before the opening exercises commenced, Brother A. C. Smyth, the chorister, seated himself at the organ, and rendered a piece of sacred music, a selection from Mendelssohn, at the conclusion of which, persons sitting near the centre of the hall, and also on the stand at the west end, heard most heavenly voices and singing—it sounded to them most angelic, and appeared to be behind and above them, and they turned their heads in the direction of the sound, wondering if there was another choir in some other part of the Temple." (*Ibid.* 521) The names of fourteen persons follow as being witnesses of this spiritual phenomenon.

89. *Ibid.*

90. *Deseret News*—Weekly—of April 9th, 1892. Under the capstone of the Temple was laid a fine polished copper plate engraved by David M'Kenzie with the following information upon it:

HOLINESS TO THE LORD.

The Temple Block Consecrated and Ground Broken for The Foundation of This Temple, February 14th, 1853.

The Corner Stones were Laid April 6th, 1853, Commencing At the Southeast Corner.

GENERAL CHURCH AUTHORITIES:

April 6, 1853.

First Presidency—Brigham Young, Heber C. Kimball, Willard Richards.

Twelve Apostles—Orson Hyde, Parley P. Pratt, Orson Pratt, Wilford Woodruff, John Taylor, George A. Smith, Amasa Lyman, Ezra T. Benson, Charles C. Rich, Lorenzo Snow, Erastus Snow, Franklin D. Richards.

Patriarch to the Church—John Smith, son of Asael.

First Seven Presidents of Seventies—Joseph Young, Levi W. Hancock, Henry Herriman, Zera Pulsipher, A. J.

Rockwood, Jedediah M. Grant, Benjamin L. Clapp.

Presiding Bishop—Edward Hunter.

T. O. Angell, Jos. D. C. Young, Architects.

April 6th, 1892.

First Presidency—Wilford Woodruff, George Q. Cannon, Joseph F. Smith.

Twelve Apostles—Lorenzo Snow, Brigham Young, Francis M. Lyman, George Teasdale, John W. Taylor, Anthon Lund, Franklin D. Richards, Moses Thatcher, John H. Smith, Heber J.

The act of laying the stone was quite dramatic. There was a procession led by bands of music. The Temple square was crowded, as were also the adjacent streets. There were anthems by the choir and hymns in which the great audience joined. The house tops and windows of near by buildings were crowded by the people. At twelve o'clock—noon—the formal service began. After prayer by Joseph F. Smith, second counselor in the presidency, the anthem by Stephens—"Grant us Peace O Lord," was rendered.

"*The cap stone is now ready to be laid!*" shouted the architect from the top of the building.

President Woodruff, stepped forward and said:

"Attention, all ye House of Israel, and all ye nations of the earth. We will now lay the top stone of the Temple of our God, the foundation of which was laid and dedicated by the Prophet, Seer, and Revelator, Brigham Young."

He pressed an electric button, and the stone settled to its place; at the same moment the great crowd led by Elder Lorenzo Snow gave the sacred shout.

"*Hosanna! Hosanna! Hosanna! to God and the Lamb! Amen! Amen! Amen!*"

This was thrice given, with the waving of handkerchiefs and every expression of joy. A moment later and the assembled thousands led by the choir sang Zion's most soul-stirring congregational hymn—

"The Spirit of God like a fire is burning,

"The Latter-day Glory begins to come forth," etc.

"The spectacle and effect of the shout" said a chronicle at the time, "was grand beyond description, the emotions of the multitude being stirred up in the greatest intensity of devotion and enthusiasm."⁹¹

Grant, Marriner W. Merrill, Abraham H. Cannon.

Patriarch to the Church—John Smith, son of Hyrum.

First Seven Presidents of Seventies—Jacob Gates, Seymour B. Young, C. D.

Fjeldsted, John Morgan, B. H. Roberts, George Reynolds, Jonathan G. Kimball.

Presiding Bishop—William B. Preston.

Robert T. Burton, John R. Winder, Counselors.

The Capstone was laid April 6th, 1892, by President Wilford Woodruff.

91. *Deseret News*—Weekly—of April 9th, 1892; "The topstone, and the granite block upon which it immediately rests," says Elder Talmage in his "House of the Lord," "form a sphere. Within the lower half a cavity had been prepared;

Apart from the main event the chief thing attending the laying of the cap stone was the offering of a resolution by Elder Francis M. Lyman, of the Council of the Twelve, as follows:

RESOLUTION

"Believing that the instructions of President Woodruff, respecting the early completion of the Salt Lake Temple, is the word of the Lord unto us, I propose that this assemblage pledge themselves, collectively and individually, to furnish, as fast as it may be needed, all the money that may be required to complete the Temple at the earliest time possible, so that the dedication may take place on April 6th, 1893.

"The resolution was put to the meeting, that it might have the endorsement of all Israel. The result was a deafening shout of 'ayes' from the assembled host.

"Brother Lyman then stated that he would head a subscription list with a donation of one thousand dollars to aid in the attainment of the object expressed in the resolution."⁹²

Accordingly the Church undertook the accomplishment of this task, and successfully carried it through, although the undertaking was immense and many doubt the possibility of its achievement.⁹³ It was completed, however, though the last "finishing touches to the interior of the building were made in the afternoon of the 5th of April," the day preceding the day of dedication. "In the evening of that day," writes the author of the "House of the

and in this were placed certain books and other articles, so that, as the capstone was laid, it formed a secure and massive lid to this stone receptacle. The stone contains a copy of the Holy Bible, Book of Mormon, Doctrine and Covenants, Voice of Warning, Spencer's Letters, Key to Theology, Hymn Book, Compendium, Pearl of Great Price, and some other books; also photographs of Joseph and Hyrum Smith, Brigham Young, John Taylor, Wilford Woodruff, George Q Cannon, and Joseph F. Smith, a photograph of the Temple as it appeared at the time. . . . Later in the day, the topstone was surmounted by the great statue—a figure intended to represent Moroni, the heavenly messenger who ministered to the youthful prophet, Joseph Smith, in 1823. The figure, over twelve feet in height, is of copper, heavily gilded. It is in the form of a herald with a trumpet at his lips." (*Ibid.*)

92. Minutes of Conference, April, 1892, *Deseret News*—Weekly—of April 9th, p. 516.

93. "Even as late as one month prior to the date set apart for the dedication," writes Elder James E. Talmage, "there was so much yet to be done, as to make many feel that for once at least, the people had been mistaken in their belief that the Lord had spoken, and that the completion of the work by the time set, was a physical impossibility." ("The House of the Lord a study of Holy Sanctuaries, Ancient and Modern," by James E. Talmage, one of the Twelve Apostles of the Church of Jesus Christ of Latter-day Saints, illustrated—1912—*Deseret News* print, p. 155).

assembly by its own accredited representative. All this we believe will be patent to you, and we therefore respectfully ask that the privilege be accorded us of sending a delegation to represent the Church of Jesus Christ of Latter-day Saints at the World's Religious Congress."⁹⁸

No answer was received to this communication, and after waiting ten days a representative of the Church was sent to inquire into the causes of the delay. In the interview with President Bonney the representative learned that the letter of the First Presidency had been referred to the general committee of the management of the Parliament, and there was much difference of opinion as to just what reply ought to be made to the application for a hearing. The prevailing opinion was that the Church ought not to be admitted to representation, for the reason that it would doubtless prove to be a disturbing element in the parliament. Replying to the inquiry what grounds the committee had for thinking the Church of the Latter-day Saints would be a disturbing element in the parliament, he answered "because of the great prejudice that existed against the Church on account of its plural marriage system." "How would you answer," said Mr. Bonney to the representative of the Church interviewing him—"the objection urged against the representation of your church in the parliament because of its belief and practice of polygamy?" The answer was that such an objection to our admission to such a parliament as was to assemble ought not to be considered for a moment. The oriental religious, many of which at least tolerated the practice of polygamy, were not barred from representation in the parliament on that account; and if they admitted unchristian and polygamous religions from the East they ought not to bar those that were considered unchristian and polygamous from the West.⁹⁹ In the second place, the

98. Improvement Era, July, 1890, Vol. II, pp. 676-7, where the letter of the Presidency is given in full.

99. As a matter of fact, the management of the parliament had been at great pains to induce representatives of oriental religions tolerating polygamy, to be present and participate in the parliament, and they actually admitted to the parliament a representative of the Mohammedan faith—Mohammed Alexander Russell Webb—who was permitted to deliver two addresses in explanation and defense of his religion, including polygamy his speech being reported in the official record of the parliament, published by Rev. John H. Barrows, chairman of the general committee of religious congresses, pp. 989-96, and 1040-52.

Mormon Church had officially announced the discontinuance of plural marriages and therefore it was not a matter that should be considered when the question was discussed as to whether it should be admitted to the parliament, as reference to our marriage system need form no part of the statement of our faith further than to announce the discontinuance of the practice. It was further urged upon Mr. Bonney's attention that the Mormon Church had been accused of prosecuting its work only among the ignorant, and that it would not dare to come into contact with the enlightenment of our age and civilization; but now it proposed to come where the rays of religious light and truth were supposed to be focused, and place a statement of its doctrine and message to the world side by side with the creeds of all other religious; and for the parliament to object to its admission after such charges, as above explained, had been made against the "Mormons," would be inconsistent with the character of the great gathering and would come with bad grace from officers of the parliament.

The outcome of this interview and one or two others had with Mr. Bonney and Rev. John Henry Barrows, chairman of the parliament meetings, and much correspondence on the subject was that the representative of the Church of the Latter-day Saints, was to be admitted to the parliament and make the address which meantime had been prepared and submitted in writing to these gentlemen, and pronounced by them a good paper.

The time of the parliament's setting was drawing to a close when word was sent to the representative of the Church of the Latter-day Saints requesting him to deliver his address on the 25th of September, in "Hall 3," one of the committee rooms at the side of the great Columbus Hall where the main body of the parliament assembled, and was known as the "Scientific section of the Worlds Congress Auxiliary," and capable of seating perhaps fifty people. The representative of the Church of the Latter-day Saints answered that he would be pleased to make an address before the gentlemen who were wont to gather in "Scientific Section," provided such address would not bar him from making his address before the main parliament in the Hall of Columbus. In reply the representative was informed verbal-

ly by Rev. Dr. Barrows that the hearing in "Hall 3" was the only hearing intended to be granted the "Mormon Church." In answer to this the representative replied through a written note to the effect that to ask him to make his address in "Hall 3," and have that the only hearing that "Mormonism" was to have looked very like an effort to side track the Church he represented; for as a matter of fact, under the circumstances proposed by Mr. Barrows, the great parliament would hear of the "Mormon faith and Church either not at all, or else only as in a corner and darkly." A hearing such as could be obtained in "Hall 3" was not the kind of hearing the "Mormon" Church asked for or could accept. She asked to speak through her representative in the full parliament before all the world, having full time (half an hour) allotted to her in which to proclaim what to her were the great truths of religion. If that could not be accorded her by the parliament, she would be content with the distinction of being the one voice in all the world that could not be heard in such an assembly, and would seek other means for declaring her views, and announcing her mission.

That terminated the matter so far as the parliament was concerned; but the representative of the church of the Latter-day Saints made a statement for the press covering the whole treatment of the Church he represented which appeared in the Chicago *Inter-Ocean* of September 28th, in the form of an open letter to Charles C. Bonney, President of the World's Congress Auxiliary, and to Rev. Dr. John Henry Barrows, chairman of the General Committee of the Parliament of Religions.¹⁰⁰ A synopsis of the open letter was sent out by the associated press and widely commented upon editorially, especially by the great Chicago dailies, and quite generally adversely to the managers of the parliament, who attempted no defense of their treatment of the Church of the Latter-day Saints. The concluding para-

¹⁰⁰ The whole subject is treated at length in a series of three articles under the title "The Church of Jesus Christ of Latter-day Saints at the Parliament of Religions," *Improvement Era*, for 1899, beginning with the June number. In these articles will be found all the correspondence and interviews between the representative of the Church and the authorities of the Parliament, including the open letter to them published in the Chicago *Inter-Ocean*. The address prepared for the Parliament is published in *Defense of the Faith and the Saints*; 1907—Vol. I, pp. 7-22.

graphs of the Open Letter present the advantages held in this controversy by the representative of the Church. After a somewhat exhaustive statement of the treatment he had received, the representative said:

"Gentlemen, I have written my page in the history of your parliament; the world knows of your treatment, in part at least, of the 'Mormon' Church. What will you say to justify your conduct? Will you say that 'Mormonism' is such a new arrival in the religious field, and so small a society that you could not give it a place? I would reply, first, that you once agreed to give it a hearing in the parliament; and, second, I ask you to think of some five or six hearings given to the representatives of the Brahmo-Somaj of India, a sect which sprang into existence about the same time that the 'Mormon' Church was organized, and after its sixty-three years of existence numbers but six or seven thousand followers, as against over three hundred thousand people in the Church I represent; and the Brahmo-Somaj—while I admire the ability with which its claims have been set forth by its eloquent and learned representatives—does not occupy so important a position in relation to the religions of India as 'Mormonism,' does to Christianity.

"Will you say that you fulfilled your agreement to give me a hearing by offering me the privilege of reading my paper in a small side-hall, where I would have had from a score to hundred hearers? You ventured to insult me and my people with such a proposition. Do not insult the intelligence of the public by making such a statement, expecting that the public will accept it.

"Will you say that I represent a polygamous people? I would reply, What if I do? Do not the gentlemen who so ably represented the faiths of the Orient in your parliament, also represent polygamous peoples? But I explained to you in our interview that since the 'Mormon' Church had officially discontinued plural marriages that subject need form no part of the presentation of 'Mormonism' to the parliament, except to announce the fact of its discontinuance. Look at the paper I prepared for the Parliament, a copy of which you hold, there is not a word about polygamy. Were you really afraid that I would announce the position of the Church on that subject?

"Gentlemen, you should have extended a hearty invitation to the 'Mormon' Church to participate in your parliament, and given her representative a full and fair hearing, not in some out-of-the-way corner, but in the general parliament. You should

have done that if for nothing else than to have had the joyful news proclaimed that polygamy had been discontinued by the 'Mormons'. If you thought us in error, as Christian ministers, you should have been anxious to learn and have the world find out wherein we were in error, that you, as lovers of human souls could find out wherein we were wrong, and then in kindness and for our good show us our error—and what could have been better for you Christians than to have exposed our error from our own statement of our faith, and then reclaimed us? But you have missed your opportunity. I hold the smiling, and seemingly benevolent mask of toleration and courage, behind which the parliament has been hiding, in many hands, and the old harridan of sectarian bigotry stands uncovered, and her loathsome visage, distorted by the wrinkles of narrow-mindedness, intolerance, and cowardice, is to be seen once more by all the world.

"Gentlemen, 'where you should have been lions, you have been hares; where foxes, geese.' Turn which way you will and you will be confronted by the facts which proclaim that you have shrunk before the fear of public sentiment within your own respective churches, all unmindful of that greater public sentiment outside of your churches which demands generous, open and fair treatment, even for 'Mormons' in such a gathering as your parliament purported to be. . . . Gentlemen, I have taken an appeal from your parliament to a greater one, the parliament of an enlightened public opinion, and I challenge you to appear before it and explain your conduct."¹⁰¹

The judicial crusade in Utah, extending through the Taylor and Woodruff administrations, resulting in so many leading men being driven into exile, unexpectedly benefited the Church in two ways: First, many of the exiles went into the foreign missions of the Church and greatly increased their efficiency, because they were men of matured minds, large experience, and of earnest purpose; second, it contributed to the territorial expansion of the Church, since it compelled men involved in this order of family life to seek for homes in other countries than the United States, chiefly in Mexico and Canada.

The movement into Mexico first began from the Arizona settlements, where the enforcement of the law at first was not less

101. Chicago *Inter-Ocean* of Sept. 28th, 1893.

rigid in the cases that came before the courts, than in Utah;¹⁰² and a number of those convicted were sent to the "House of Correction" at Detroit, Michigan.¹⁰³

The first company to leave Arizona for Mexico was formed at Snow Flake, under the leadership of Edward A. Noble. This in February, 1885. They numbered about seventy souls and went *via* Luna Valley, New Mexico, and by the seventh of March, reached the vicinity of Ascension on the Casas Grandes river, state of Chihuahua, where they formed a temporary encampment. Their presence here created some excitement among the native Mexicans, and the governor of Chihuahua, on the 9th of April, ordered them to leave the state within fifteen days. Some of the leading Elders in the company and Elder George Teasdale, of the council of the Twelve, who had come to the encampment at Ascension, hastened to Chihuahua, the capital of the state, and presented the case of the exiles to the governor, who consented to refer the matter to the federal authorities at the City of Mexico. Here the following month Elder Brigham Young, son of the late President Brigham Young, and Elder Moses Thatcher, both of the council of the Twelve waited upon and had several interviews with President Proferio Diaz and members of his cabinet, Mariscal, minister of foreign affairs, and Carlos Pacheco, minister of the interior and of colonization. The result of the interviews was that the order of the governor of Chihuahua was revoked; and some time afterwards when under anti-Mor-

102. Indeed at one time the enforcement of this law in Arizona threatened to be even more severe than in Utah. Judge Howard, at Prescott, sentenced three of the brethren to three years and six months imprisonment and to pay a fine of \$500 each for the misdemeanor of unlawful cohabitation, which the court construed into "polygamy," and tried and convicted the three brethren accordingly. This on December 5th, 1884. (See *Deseret News—Weekly*—Dec. 10th, 1884). After nearly two years of unjust imprisonment, in consideration of the fact that they had been wrongfully imprisoned, the three brethren were pardoned by President Cleveland, Oct. 13, 1886.

103. Detroit to the brethren in Arizona was the "American Siberia," and banishment to it increased the severity of the punishment very greatly both in the minds of those who were sent there, and in the community mind. "I was hardly prepared today to suppose that we needed an American Siberia," said President John Taylor, in his last public address, and just after his return from Arizona, "but this is the fact. We have here in America today an 'American Siberia' in Detroit, to which place, upwards of two thousand miles from their homes—men are banished for a term of years."—*Deseret News—Weekly*—of Feb. 25, 1885.

He reported favorably of locations in Southern Alberta province; and, in the following spring, in company with Thomas E. Ricks of Rexburg, Idaho, President of the Bannock now, (1915) the Fremont stake of Zion; Bishop Thomas Smith, of Logan, Utah; and Elder Nills Monson, he located a place for a settlement on Lee's Creek, a tributary of St. Mary's river, Alberta, Canada. A few days later settlers from Cache county, Utah, arrived and plowing and other work of founding the colony began in good earnest. By October of the year following the colony had increased to such numbers that at a conference of the settlers held on the 7th of that month, an ecclesiastical ward was organized by Francis M. Lyman and John W. Taylor, of the council of the twelve apostles. Anthony Woolf was made the bishop, and the settlement was named Cardston in honor of its founder, Charles O. Card. Seven years later there were in existence three bishop's wards in Alberta Province; Cardston, already described, Aetna on St. Mary's river, and Mountain View, on Fish Creek, the last two having been organized as wards on December the 17th, and the 24th, respectively, 1893. The three wards were organized into a stake of Zion on the 9th of June, 1895, with Charles O. Card as President, and John A. Woolf and Sterling Williams as counselors. After this settlements multiplied quite rapidly throughout the southern part of the province of Alberta, until it was found necessary in August, 1903, to divide the Alberta stake of Zion into two stakes; the group of settlements in the western division retaining the name of Alberta stake,¹⁰⁸ and the group of settlements in the eastern division forming Taylor stake,¹⁰⁹ named in honor of John W. Taylor, then a member of the Apostle's quorum, who had been active in promoting the development of these Canadian colonies. The colonies are prosperous and constitute undoubtedly, a permanent territorial division of the Church. In proof of which it is only necessary to state that on the 27th of July, 1913,

^{108.} The Ecclesiastical wards comprising this stake are now (1915) Aetna, Beazer, Cardston, Second; Claresholm, Frankburg Genwood, Hill Spring, Kimball, Leavitt, Mountain View, Orton, Pine Coulee (Stavely) Star Line (Claresholm), Taylorsville, Woolford.

^{109.} The wards comprising this stake of Zion now (1915) are as follows: Grassy Lake, Leonard (Barnwell), Lethbridge, Margrath, Raymond 1st, Raymond 2nd, Sterling, Tabor, Welling.

the site for a temple was dedicated at Cardston by President Joseph F. Smith and a company of high Church dignitaries from Salt Lake City, which temple is now nearing completion. It is the first structure of the kind built by the Church outside of the United States.

Although the Canadian settlements were founded by men involved in the plural marriage system of the Church of the Latter-day Saints, it was not the purpose of the Church authorities to introduce polygamous living into the Dominion, nor have they done so; but the existence of these colonies did make it possible for men involved in plural marriage to locate a family in these settlements, and care for it with something like freedom and decency, which but for such place of refuge, under the judicial crusade then carried on in Utah, Arizona, and Idaho, would have required them to neglect or abandon. The completest harmony and good feeling have always existed between the latter-day Saints and both the Provincial and the Dominion governments of Canada.¹¹⁰

The remaining events to be treated in President Woodruff's administration are largely of a political character and will be grouped in a chapter by themselves.

¹¹⁰ The Canadian Parliament, however, on the 11th of April, 1890—the very day that the Stirble bill was introduced into the American house of representatives and referred to the house committee on Territories, and having for its object the disfranchisement of the Latter-day Saints of Utah—amended the criminal law of the Dominion, making polygamy punishable with five years' imprisonment instead of two as heretofore. The legislation was undoubtedly passed in anticipation that an influx of Mormons into the Dominion might make it necessary to check polygamy in the "Mormon colonies should it make its appearance there." (See Jensen's Church Chronology, date of April 11th, 1890, p. 183).

CHAPTER CXXII

THE FIRST CLEVELAND ADMINISTRATION AND ITS EFFECTS ON MORMON AFFAIRS IN UTAH—GREAT EFFORT TO OBTAIN STATEHOOD 1887-9—DISAPPOINTMENT. THE WOODRUFF MANIFESTO OF 1890—ACCEPTANCE AND REJECTION OF BY GENTILES—HARRISONS ADMINISTRATION AND THE MORMON QUESTION—THE HARRISON FEDERAL APPOINTMENTS FOR UTAH—THE PRESIDENT'S VISIT TO UTAH—DISSOLUTION OF LOCAL POLITICAL PARTIES—THE S. L. TIMES INTERVIEW—ELECTION OF 1895—CHURCH INFLUENCE CHARGED—RESTORATION OF PERSONAL PROPERTY TO THE CHURCH—PASSAGE OF UTAH'S ENABLING ACT—UTAH'S CONSTITUTIONAL CONVENTION—SETTLEMENT OF THE POLYGAMY QUESTION—ELECTION OF 1895—THE CHURCH POLITICAL MANIFESTO—INAUGURATION OF UTAH'S STATE GOVERNMENT—CLOSING YEAR OF PRESIDENT WOODRUFF'S ADMINISTRATION—CHANGE IN SEALING ORDINANCES—DITTO FAST DAY—THE JUBILEE CELEBRATION OF PIONEER DAY—DEATH OF PRESIDENT WOODRUFF—HIS JOURNALS.

It has already been said that with the advent of the national Democratic administration in 1884 marked changes in the federal administration of affairs in Utah had been hoped for, and how those hopes had met with disappointment and why.¹ But while the expected changes did not come for some time—and in some respects did not come at all—through the appointment of federal officers for the Territory, the Democratic national victory of the year named stimulated movements in Utah that did ultimately lead to important results in the affairs of the commonwealth and the relations of the Church of the Latter-day Saints to the state.²

For some time John T. Caine delegate from Utah, elected by the People's Party, had been a member of the Democratic congressional campaign committee; Geo. Q. Cannon had quite generally been regarded as affiliating with that party, so that Utah

1. Chapter CXIX

2. Note has already been taken of the effort to align the people of Utah with the National political parties in 1872, in connection with the statehood movement of that year, and its failure. See Chapter CXIII. *Americana* for Dec., 1914.

was understood as being Democratic in its political tendencies.³ For a time it seemed that enthusiasm over the party's victory in the nation would unite Mormon and Gentile Democrats of Utah in celebration of it; but the times were not ripe for such a consummation. In the midst of the preliminary steps for bringing about the formal celebration to take place on the night of November 8th, the parties discovered that they were still "Mormons" and "Gentiles," and the elements were not yet prepared to drop these distinctions and amalgamate as citizens in a united political party. However the spirit of the national victory had seized the people who felt that they were Democrats and the celebration went on, although somewhat informally. There were bonfires at several points; at the head of Main street, at sundown, cannons which had been silent since 1870, when the Territorial militia was disbanded, fired a hundred salutes; speeches were delivered from the balcony of the old city hall. A dispatch conveying congratulations to Grover Cleveland was sent from this meeting, saying: "Ten thousand citizens of Salt Lake tonight are enthusiastically celebrating your election. Their joy is as sincere and honest as their jollification is demonstrative." It was signed by John T. Caine as chairman.⁴

On the 19th of the month the Gentile Democrats, posing as the real Democrats of the Territory, held a more formal meeting at the Walker Opera House, in which a strong anti-Mormon sentiment developed, captain Ransford Smith, who in the election just then closed had been the badly defeated opponent of John T. Caine in the race for delegate to congress, remarking that it had been "left to the Democrats to wipe out the remaining 'Twin Relic.'"⁵ It was doubtless the purpose of the "Gentile Democrats" to fall heir, if possible, to the federal appointments in Utah.

Meantime there had grown up in Utah native sons of the Ter-

3. Such a conclusion would be justified by the fact that on the one hand the Republican party had really inaugurated the anti-Mormon legislation, and on the other, such objections as had been made against anti-Mormon legislation, as being destructive of human rights and therefore unconstitutional, had come from the Democratic side of both the national legislative houses.

4. Tullidge's Hist. Salt Lake City, pp. 855-6, where the telegram in full will be found

5. Tullidge's Hist. Salt Lake City, p. 856.

ritory, who had taken to educational pursuits and professional life, and while largely of Mormon parentage felt only in a measured portion the religious enthusiasm of their fathers for the faith of the New Dispensation. These were growing restive under the restraints and limitations enforced upon the Territory by reason of the local contentions of Church and anti-Church parties, and desired to be rid of the strife. A number of such natives of Utah between the election of 1882 and that of 1884—but more especially in the summer of 1884—undertook the founding of Democratic clubs, through which they sought to change conditions by insisting upon obedience to the anti-polygamy laws and the separation of Church and state.⁶ On the other hand they were opposed to the anti-Mormon plan of working for the establishment of a Utah legislative commission. “Local self-government is a cardinal principle of Democracy,” they said in the fifth paragraph of their declaration of principles, “and as such we endorse it.” They said this principle was in danger from both of the local political parties, which danger they thus described:

“On the one hand, a local political organization appeals for the abrogation of all local self-government in this Territory by the establishment of a legislative commission. On the other hand an opposing political organization has afforded, by the conduct and declaration of its most influential members, the means by which the former might make its appeal successful. . . . The withdrawal of all powers of government from the people, implied in the establishment of a legislative commission, would be to remove all inducement or encouragement to political activity and independence, and by the lethargy which would ensue, engender utter indifference to the exercise of free and intelligent political thought and action. This would but aggravate the evils which it is designed to cure and can, of course, find no support, except by those who believe the application of free principles inadequate to human government.”⁷

6. This Democratic club movement took high ground. It reaffirmed and endorsed the national platform adopted at Chicago on the 8th of July, 1884. It held that “the affairs of the government can be safely entrusted to the intelligence of a free people.” About this declaration, and one other, *viz.*, that “politically all men are created free and equal; the priest and the layman, must stand upon the same plane, we reaffirm that the affairs of the church and state ought to, and must be, forever separate and distinct, locally and nationally”—on these two declarations the whole movement rested.

7. See Tullidge’s History of Salt Lake City, pp. 857-8.

The one thing in which the movement most gave offense was in its eighth and ninth declaration, viz.,

"We firmly repudiate the idea that any citizen is under obligation to take his political counsel from those whose avowed purpose is a continued violation of law.

"We shall struggle to make predominant the sentiment that every citizen should and must obey every law until, by legitimate agitation, if obnoxious or unjust, its abrogation or repeal can be secured."

The Democratic club movement antagonized both the People's party and the Liberal party and under the conditions then prevailing, however lofty its purpose or pure its motives, was doomed to failure. A daily newspaper was begun in support of the movement, the Salt Lake Daily *Democrat*, the first number of which was issued on 2nd of March, 1885. The movement and its organ supported Captain Ransford Smith in the campaign of 1886, with the result already announced.⁸ Both the club movement and its organ had but a precarious life, lasting only about two years; the *Democrat* went out of existence in July, 1887, and with its demise interest was lost in this premature movement for Utah's political redemption.⁹

What the Democrat Club movement of 1884-1887 failed in, the "Sage Brush Democracy," though in less formal manner, undertook to do in the political campaign of 1888. Early in October

8. They also nominated members for the council districts comprising Salt Lake, Davis, and Tooele counties—R. C. Chambers, Jos. L. Rawlins, John A. Marshal, C. E. Mitchner; for members of the lower house from Salt Lake, Davis and Morgan counties—Wm. G. Sharp, Jos. M. Benedict, Abram F. Doremus, A. L. Williams, H. D. Ripetto, Stephen Hales; for Salt Lake county, Superintendent of public schools, Jos. T. Kingsbury; for selectman for Salt Lake county, Boliver Roberts. None of these candidates were elected.

9. The coterie of young men who instituted this club movement for the relief of Utah from what was rapidly becoming intolerable conditions, was very respectable and very honorable, comprising men who afterwards became noted as contributing to the commonwealth's progress. They numbered among them Joseph L. Rawlins, the president of the Club at Salt Lake City, later to become delegate to congress from the Territory, and in that capacity to introduce the bill that became the enabling act for Utah's statehood, and still later to be U. S. Senator from the state of Utah. J. T. Kingsbury, later and for twenty years, and now (1915) President of the University of Utah; Alfonso Young, son of the late President Brigham Young, vice president, was also editor of the organ of the movement, the Salt Lake *Democrat*, and is still an active journalist, connected (1915) with the staff of the *Deseret Evening News*. In addition to these were a number of others who are prominent in the professional business, and social life in Salt Lake City and Utah.

advantage was taken of the presence in Salt Lake City of many Democrats from all parts of Utah Territory, who were either in attendance upon the semi-annual general conference of the Church of Latter-day Saints, or who had taken advantage of the low railroad rates always allowed on these annual and semi-annual occasions to visit the city. About one hundred Democrats in all gathered at the old City Hall on the corner of first south and state street and here affected their organization, and although the meeting was largely impromptu, it placed a candidate in the field for delegate to congress. This was S. R. Thurman, of Provo, then a young practicing attorney at law. The movement elicited much humor both from the Republicans of the Territory and many of the older Democrats, who were persuaded that nothing could come of such an effort to align the people of Utah with the national parties under conditions then existing. Both the People's party and the Liberal party—Mormon and Gentile, frowned upon this new political bantling, which the Salt Lake *Tribune* contemptuously dubbed "sage brush democracy." The promoters of the party, true to the American genius in such things, seized upon this derisive term and made it the party title, and the "sage brush"—the "*artemisia*" of Fremont's books, and scientific classification—became the party's emblem.

For a time the Salt Lake *Herald* sustained the movement, but Mr. John T. Caine, candidate of the People's Party was part owner of the *Herald*, and many of his friends were owners in it—they held doubtless the majority of the stock—and it could not be expected that they would tolerate support of any opposing candidate to Mr. Caine. It suddenly withdrew its support from the "Sage Brush" Party¹⁰ and supported the "People's Party Candidate" John T. Caine. Mr. Thurman polled but 511 votes, and "Sage Brush Democracy" was as dead as was the Democratic Club movement which preceded it.

10. Mr. Thurman's description of this change of front on the part of the *Herald* was most humorous. He said the *Herald* had for a long time talked Democracy; it pined for Democracy; and when it got Democracy from the "Sage Brush" party it said it was satisfied with the brand it had received, and which it proposed to sustain. Then all of a sudden, it stopped. Stopped short, like "Grandfather's Clock," "never to go again." A little hesitancy of speech in the speaker, not quite a stutter, but added a charm to the verbal description.

It has already been noted that an effort was made during the first Cleveland administration—1887—to obtain statehood for Utah; that a clause was inserted in the Constitution submitted declaring against bigamy and polygamy, making each a misdemeanor; making the section operative without further legislation, and irrepealable and unamendable without the concurrence of the President of the United States and congress; the amount of fine and imprisonment was fixed and the offenses were not barred under three years by statute of limitations.¹¹ All this, however, being but the action of a constitutional convention, and not the action by the Church of the Latter-day Saints, did not appeal to the Democratic Congress as sufficient to meet the demands of public sentiment in the United States, and therefore it refused to act upon a measure for Utah statehood.¹² The senate committee on Territories, to whom the Utah constitution and accompanying memorials and petitions of 1887 had been referred, reported adversely on the subject on the 26th of March, 1888, and was discharged from further consideration of the subject.

Notwithstanding this disappointment administered by a Democratic congress a determined effort was continued by leading Church authorities for the admission of Utah through the influence of the administration,¹³ in the closing months of 1888, and during the months of 1889 through which the Cleveland administration continued. It was proposed to the Church authorities in this period that there should be an official abandonment of plural marriage in connection with this effort for statehood, and the form of the renunciation was presented for consideration to the council of the apostles, but at that time, December, 1888, the proposition was unanimously rejected by the Apostles—then the pre-

11. See Chapter CXX this History.

12. This Movement, however, was strongly supported by the First Presidency and other leading Elders of the Church; and President Joseph F. Smith was sent to Washington to direct the efforts of the friends of Utah at the capitol. See Woodruff's Journal, *Ms.*, entry for Aug. 12, and 13, 1887, and Feb. 2nd, 1888. Elder C. W. Penrose, John W. Young, and Franklin S. Richards were associated with President Smith in this effort, as of course was the Utah Delegate, John T. Caine, Geo. F. Gibbs and L. John Nuttall—the latter secretary to Caine, acted as secretaries of the delegation. President Smith and Elder Penrose left for Washington on the 11th of February. On the 18th Caine and Richards submitted arguments before the senate Committee in favor of Utah's admission.

13. See Woodruff's Journal Entry of Oct. 29, 1888.

siding Council of the Church.¹⁴ "It was in the closing months of President Cleveland's administration that provisions were made for the admission of four new states into the Union, *viz.* North Dakota, South Dakota, Washington, and Montana.¹⁵ Strenuous efforts also were being made for the admission of Idaho, Wyoming, and Arizona. It was hoped that in this "omnibus" movement, Utah also could secure admission. In pursuance of this object the delegation from Utah put forth every effort. The brethren appointed from Utah arrived in Washington on the 5th of January, and aided by John W. Young, already in the East and Isadore Morris, a resident of Salt Lake City, who went to Washington at his own expense to render assistance, they had several interviews with President Cleveland. They also visited the cabinet, nearly all the congressmen, and had personal interviews with them in relation to Utah's admission. Franklin S. Richards and John T. Caine, assisted by Judge Jeremiah M. Wilson, an eminent constitutional lawyer of national reputation, as special counsel, appeared before the house committee on Territories and made exhaustive arguments for the admission of Utah, but all to no avail. The committee made its report to the house on the 6th of February, recommending the admission of Idaho, Wyoming and Arizona, but not Utah. Later, March 2nd, Mr. Springer of Illinois, Chairman of the house committee on Territories reported a bill to the house for the admission of Utah, and recommended that it be placed on the calendar for consideration and action of the house. Struble of Iowa filed a minority report, adverse to the recommendation,¹⁶ and as two days later the 49th Congress would go out of existence, nothing came of Springer's favorable report.

The opponents to Utah's admission, who appeared at Washington, were *Messrs.* R. N. Baskin, John R. McBride, E. P. Ferry, P. H. Lannan, manager of the *S. L. Tribune*, and Governor West. Mr. F. T. Dubois of Idaho, was also enlisted on the side

14. See Woodruff's Journal (*Ms.*) entry for Dec. 20th, 1888.

15. "President Cleveland signed the bill providing for these additions to the family of states on the 22nd of February, 1889, . . . The conditions precedent to their admission, however, were not fulfilled until later, and President Harrison made proclamation of the final acts of admission during the first year of his administration." Hist. U. S., Bryant-Gay-Brooks—Vol. V. p. 578.

16. See Congressional Record of March 2nd, 1889, house proceedings.

of the opposition. They won a victory against Utah, and the first Cleveland administration, of which so much had been expected in Utah, ended in disappointment to the people of that Territory.

Naturally there was some anxiety as to what would be the attitude of the incoming Republican administration, towards Utah and the Latter-day Saints, with Benjamin Harrison, President.

The Republican platform of 1888 had promised to do everything in its power "to facilitate the admission of the Territories of New Mexico, Wyoming, Idaho and Arizona to the enjoyment of self-government as states;" but respecting Utah, the platform said:

"The political power of the Mormon Church, in the Territories, as exercised in the past, is a menace to free institutions and dangerous to be long suffered; therefore, we pledge the Republican party to appropriate legislation asserting the sovereignty of the nation in all the Territories where the same is questioned, and, in furtherance of that end, to place upon the statute books, legislation stringent enough to divorce the political from the ecclesiastical power, and thus stamp out the attendant wickedness of polygamy."

Elected upon a platform pledged to such a policy it is no marvel if there was some discouragement experienced in Utah with reference to Territorial and Mormon Church affairs when news arrived in Utah of Harrison's election. Moreover the appointments by President Harrison indicated that he was in full harmony with the platform declarations of his party. There was no such delay in making the federal appointments for the Territory, as in the case of Cleveland's administration. About two months after his inauguration (*viz*, May 6th, 1889), the President appointed Mr. Arthur L. Thomas, governor of Utah, succeeding Caleb W. West. Mr. Thomas had indicated for some time strong anti-Mormon tendencies both as former secretary of the Territory and later as a member of the Utah commission, from which position he was now advanced to the governorship. Thomas was succeeded on the commission board by Mr. Alvin W. Saunders of Nebraska, who received his appointment on the

14th of May. The day following Thomas' appointment as Governor Elijah Sells was appointed Secretary of the Territory, succeeding Wm. C. Hall, and Ellsworth Daggett was made surveyor general. Judge Chas. S. Zane was reappointed chief justice of Utah. This on the 24th of May, and took the oath of office on the 3rd of June, succeeding Judge Elliott Sanford, dismissed. As Judge Zane's former term as chief justice did not expire until July, 1888, he was out of office in Utah less than one year. The harshness of Judge Zane in the administration of the congressional anti-polygamy laws has already been noted, and naturally his reappointment was regarded as ominous for Latter-day Saint offenders in that class of cases. The controversy that arose over the removal of chief justice Sanford to make way for the reappointment of Judge Zane is of great interest.

When informed by Harrison's Attorney General, Mr. W. H. H. Miller, that in the opinion of the President the public service would be subserved by a change in the office of chief justice of Utah, and he would be pleased to receive his resignation. Judge Sanford asked if there were any charge of misconduct or malversation in office, or any complaints preferred against him. "In case of such charge," he wrote Miller, "I think you will agree with me that it will be unwise, unbecoming, and improper to proven or disproven and disposed of. . . . I may add that resign the office of chief justice until they have been either if a change is necessary *for political reasons only*, the President can have my resignation as soon as the business of the court and the proper disposition of matters now pending before me will permit."

Replying to this inquiry the Attorney General said: "I beg to say that there are on file in this department some papers complaining of the manner in which your judicial duties are discharged.¹⁷ Independently of these particular complaints, however, the President has become satisfied that your administration of the office was not in harmony with the policy he deemed

¹⁷. It has already been stated that Sanford had inaugurated a milder administration of the anti-polygamy laws than Utah had previously known, and it was this leniency that was complained of at Washington.

proper to be pursued with reference to Utah affairs, and for this reason he desired to make a change, and out of courtesy gave you an opportunity to resign. As you did not see fit to embrace this opportunity, the President has removed you and appointed your successor."

Answering this announcement of dismissal from office, Justice Sauford very nobly said:

"I have the honor to say that my earnest purpose while on the bench, as chief justice of this Territory, has been to administer justice and the laws honestly and impartially to all men, under the obligations of my oath of office. If the President of the United States has any 'policy' which he desires a judge of the supreme court to carry out in reference to Utah affairs, other than the one I have pursued, you may say to him that he has done well to remove me."¹⁸

The appointment of Judge Zane was followed about a month later by the appointment of Elias H. Parsons to be U. S. Marshal, succeeding Frank H. Dyer, resigned; and Chas. S. Varian, U. S. district attorney, succeeding Geo. S. Peters, resigned. Both these men, but especially Mr. Varian, had been prominently identified with the anti-Mormon party in Utah.¹⁹

All these appointments foreshadowed a vigorous enforcement of the Republican anti-Mormon policy in Utah.

In the latter part of the month of April, 1889, Presidents Woodruff and Cannon, in company with Bishop H. B. Clawson,

¹⁸ The Correspondence in full will be found in Whitney's Hist. of Utah, Vol. III, pp. 668.

¹⁹ Mr. Varian previously acted for some years as assistant district attorney under Mr. Wm. H. Dixon. Both Mr. Dixon and Mr. Varian came to Utah, as also did Judge C. C. Goodwin, so long editor of the S. L. Tribune, from Western Nevada, a seething hot bed of apostate Mormons, and the home of Judge Cradlebaugh and other bitter anti-Mormons. Here some of the worst renegade Mormons made their abode, and it was on the route between Utah and California where the restless elements of Utah "Mormons" passed and repassed in coming and going between California and Utah before the advent of the railroad. This resulted in bringing the group of gentlemen named in contact with the worst element of the Utah Mormon community, and their bitterest enemies, which could not fail to deeply prejudice the minds of these men against the Latter-day Saints and their religious beliefs; and accounts, in part, for their intense prejudice and activity against the Church of the Latter-day Saints and its doctrines. Of Mr. Varian it should be said that he afterwards was a member of the State constitutional convention, and in the constructive work of making the constitution of Utah, no man in the convention did more or better work than he did; and he will be remembered as one of the foremost citizens of Utah in that period of her history.

ized in the temples, or in any other place in the Territory during the period mentioned by the commissioners—*viz*, from the June revision of the registration lists to August of 1890—with in which time, it was reported by the registration officers to the commission, and by the commission given out to the world, that such number of plural marriages had taken place. “The document itself attributes the occasion of ‘the spirit’ coming upon him [Woodruff] ‘to press dispatches having been sent for political purposes from Salt Lake City in regard to the statement of the Utah commission in its last report.’ . . . A great part of the Manifesto is devoted to a vigorous assertion that the report of the commission is false.” They quote what they regard as “the most important part of the Manifesto,” as follows:

“And I now publicly declare that my advice to the Latter-day Saints is to refrain from contracting any marriage forbidden by the law of the land.”

“How much weight,” the commission proceeds to argue, “should be given to the declaration of a man who dares to assert that the spirit of God came upon him to charge that the Utah commission was the retailers and peddlers of falsehoods, and by reason of that fact he was to declare to the world that the Church he commands will now change front completely, and abandon the ordinance of God which has heretofore been so delightful a work for them, can be judged to a degree from the declaration itself.”³⁰

Fortunately it can, and one would think to the confusion of this commission; for it does not purport to change the policy of the Church in an important matter because the Utah commission has sent out false reports respecting plural marriages in Utah within a given time period, as stated in their report; but for the very much more serious and dignified reason which the manifesto specifically assigns for said action, *viz*:

“Inasmuch as laws have been enacted by Congress forbidding

^{30.} There is much more to the same effect from this supposedly dignified body of U. S. officials; and they think it important in a state paper to repeat from a remote source some dreams President Woodruff had related, as throwing “Further light” upon “his character and the weight to be given his utterances.”

plural marriages, which laws have been pronounced constitutional by the court of last resort, I hereby declare my intention to submit to those laws, and to use my influence with the members of the Church over which I preside to have them do likewise.

. . . I now publicly declare that my advice to the Latter-day Saints is to refrain from contracting any marriage forbidden by the law of the land.

(Signed) WILFORD WOODRUFF.
*President of the Church of Jesus Christ of Latter-day Saints.'*³¹

After a most confusing tabulation of sexual crimes in the Territory since their report of the previous year, in which all the said crimes in the Territory, Gentile as well as Mormon, are recorded—and in such form as to leave the impression that they are all Mormon crimes—the commission in the concluding paragraphs of its report expresses satisfaction at the progress which President Woodruff's Manifesto marked, "on the road to a better civilization; . . . but [they] cannot recommend the withdrawal at this time of any portion of the safe guards thrown around this people by the law-making power of the government." The commission was also most "emphatic in expressing its opinion that it would not at this time be safe to entrust to this people [i. e. the people of Utah—the majority of whom were Latter-day Saints] the responsibilities and duties of statehood as they so much desire."

The Commission (in some ill temper, however), reported that "notwithstanding the 'Manifesto'" reports had been received by them expressing the belief that "eighteen male persons" with an equal number of females . . . had entered into polygamous marriages during the year." The year before they had reported forty such marriages, it will be remembered. The accusation brought forth a most vigorous official denial by the Church leaders at the October conference following—1891. A special committee was appointed to bring in a protest and resolutions upon the subject, both as to the Commission's charges about polygamous marriages and also respecting the domination of the Church members by Church authorities. The Committee composed of influential members of the Church and also recog-

³¹. See Woodruff Manifesto previously quoted in this chapter.

Ten days later a similar action was taken by the Territorial Central committee for the entire party. The meeting was held on the 10th of June. A committee was appointed to draft resolutions. They reported that a radical change had taken place in the Territory; that progressive people had determined to bury old strifes, dissolve merely local combinations and make national questions paramount; that both Democrats and Republicans who had formerly united with the Liberal Party had severed that connection and organized under the respective national parties; that each of these organizations had repudiated the Liberal Party policy designed to destroy the political liberties of the majority of Utah's people, and had declared against disfranchisement except for crime determined by due process of law; that it was desirable that the dissensions and struggles which had hitherto hindered the progress of the Territory should be left behind in the march of the people to ward their high destiny: therefore the committee recommended that the People's Party dissolve and "leave its members free to unite with the great national parties." The committee's report was unanimously adopted.⁴⁷

The Liberal Party, as before stated, refused at this time to disband. On the 29th of May it held a great rally in Salt Lake City at which there were between four and five thousand people present. The meeting was preceded by a street parade headed by the celebrated Liberal drum corps, dressed in Zouave uniforms. The speeches by the old leaders, Powers, Baskin, Dickson, Goodwin, Varian, Hoge, Stanton, Allen, *et al.*, manifested strong feeling and in some cases bitterness.⁴⁸ The one refrain

47. The Committee was Charles W. Penrose, of Salt Lake county; W. H. Brown, of Utah county; David H. Cannon, of Washington county; Fred Turner, of Cache county, and H. S. Gowans, of Tooele county. For proceedings in full, see *Deseret News—Weekly*—of June 20, 1891, p. 835.

48. "Do I discredit the honesty of the entire Mormon people?" Asked one speaker. "Yes, I do, and why should I not? (*a voice*—"there are many reasons why you should not"). "I am acquainted with their history," continued the speaker—"and they with yours," chimed again the voice.

"I was at Denver," said Judge Goodwin, "the other day, at the Trans-Mississippi Conference. Several 'Mormons' were there also, and you couldn't tell a 'Mormon' from a Gentile except by the size of his neck. . . . One of these 'Mormon lambs' introduced a resolution in favor of admitting Utah as a state. This brought out all my old virus, and, thank God, I downed him."

Closing his remarks Judge Goodwin said: "Liberals—do not listen to the siren's song and be led away, but for your own sake be faithful to the old trust."

Mr. C. F. Allen said: "Now you young men of Utah who have worked with the People's party heretofore, we don't want you; that is, we don't want you in

running through all speeches was the assertion of the unpreparedness of Utah for statehood—for all were agreed that the new movement meant statehood,—and the likelihood was that all the work of the Liberal Party in the past would go for naught.

"To the patriots of Utah [i. e. members of the Liberal Party] the future never looked brighter," said Mr. Baskin, "but to the theocracy that we have been fighting so long all is gloom and uncertainty. . . . There is, however, one way in which this dangerous institution can maintain its existence, and that plan lies along the pathway of the new departure; which, if followed, will lead to statehood for Utah. After that the priesthood will fill every office within the gift of the people and the old order of things will be restored. And yet, in the face of such probabilities we are called upon by certain of our comrades to ground our arms. Such a proceeding would be the death knell of all that is dear to the 'Liberal' party, and we would be at the mercy of that relentless foe, the Priesthood. Under the present state of affairs we have the great nation behind us. We have fought hard for the remedies which have caused the People's Party to disband. If they are taken from us, I reassert that Utah will become a state and then a revolution will be brought about that we will have to settle at the point of the bayonet."⁴⁹

The Liberal meeting passed no resolution, and gave no formal expression to the prevailing sentiment, but the Liberal Party continued for some time, two years, as an organization.

The one thing which above all others seemed to hold in check the development of the Territory into normal political conditions was the fear that the leading authorities of the Church of the Latter-day Saints, especially the First Presidency, would be able to, and would dominate absolutely the political action of its members, and thus control to its own liking and purpose the state, when statehood should come, and the large measure of control exercised by the federal government while Utah remained a Territory, should be withdrawn. To ascertain defi-

the front ranks; if you join us you must remain in the rear and work that way; but don't come to the front and ask to join in the honor with us, because you are not entitled to it." (See *S. L. Herald* and *Deseret News* account of Liberal meeting, impressions of May 30th, 1891).

49. The account of this meeting is given at length in the *S. L. Tribune* of the 30th of May. *S. L. Herald* of same date; and a fair synopsis of the speeches will be found in the *Deseret News*, of same date.

was nominated by the Republicans, and Mr. C. E. Allen by the Liberals. Mr. Rawlins was elected by a plurality of 2,811.⁵⁶

There was a charge made that "Mormon Church influence" was exerted in this campaign, owing to the issuance of a pamphlet in the interests of Mr. Cannon, by which it was held that Joseph Smith the Prophet, and his brother Hyrum, were "old line whigs"—predecessors of Republicans in political principles—while other Church leaders were Republicans and of course protectionists. The pamphlet was illustrated with portraits of these Church leaders, and with that of Frank J. Cannon. Further evidence of "church influence" was alleged by the issuance and circulation of a certificate bearing witness to the good standing in the Church of Mr. Cannon—of which there was much question at the time—by men in high standing in the Church, which, taken with the well known agnosticism of Mr. Rawlins, was likely to greatly influence the election in Mr. Cannon's favor.⁵⁷

It was also charged that the name of the Presidency of the Church was being used to influence people who were Democrats to become Republicans. This in the Territorial legislative election of 1891, and especially in connection with a municipal election at Logan where it was held that a letter written by Mr. Geo. F. Gibbs, secretary to the First Presidency, had been effective in turning many Democrats from their party to the Republican fold. The incident is chiefly valuable in that when protest was

56. Returns show that Rawlins received 15,201; Cannon 12,390; Allen 6,986. *Deseret News—Weekly*—of Dec. 3rd, 1892, p. 751.

57. The above referred to pamphlet was named "Nuggets of Truth"; for a fuller description and the manner of issuing it, see "Hearings in the Smoot case before the Senate Committee on Privileges and Elections;"—1904—Vol. I, p. 828, and for the matter of certificate of Mr. Cannon's standing, *Ibid*, p. 826. Mr. Cannon alludes to both these matters in his "Under the Prophet in Utah," p. 124, and charges the Republican Territorial Committee with issuing the "Nuggets" and the "certificate of standing" during his absence from the Party's headquarters, and that he repudiated the action on his return to headquarters, and threatened to resign as a candidate. Mr. Cannon represents that the pamphlet was withdrawn but not until the mischief was done; he represents himself as deservedly defeated in the campaign of 1892, because of the use of such methods. He was made "the innocent victim of the atrocity"! Of all this, however, nothing was heard in Utah until the publication of the ex-senators anti-Mormon book referred to above, and published in 1911—nineteen years after the election. The Democrat party of Utah issued a pamphlet in answer to the "Nuggets of Truth," under the same title but with subtitle—"Hear ye the whole Truth as to Joseph Smith's Political Views," and then followed a compilation from the Church records of many passages setting forth the alleged views of the Prophet favorable to Democratic principles, and policies of government.

made against such proceedings it brought forth a written statement from two of the First Presidency,—President Wilford Woodruff and Joseph F. Smith—which clearly presents the attitude of the Church Presidency—and of course of the Church—in the matter of their relationship to politics: In the statement they said:

"We emphatically deny that we, or either of us, authorized Mr. George F. Gibbs or any other person or persons to use our names so as to influence citizens to vote the Republican ticket, at Logan or elsewhere. If our names have been used in any such way, it has been entirely without permission from us, and we hereby condemn it as wrong and reprehensible. If we have any desire in this matter it is that the people of this Territory shall study well the principles of both the great national parties, and then choose which they will join, freely, voluntarily and honestly, from personal conviction, and then stand by it in all honor and sincerity. Each party should have the same rights, privileges and opportunities as the other. If any man claims that it is the wish of the First Presidency that a Democrat shall vote the Republican ticket, or a Republican the Democratic ticket, let all people know that he is endeavoring to deceive the public and has no authority of that kind from us. We have no disposition to direct in these matters, but proclaim that, as far as we are concerned, the members of this Church are entirely and perfectly free in all political affairs. But they should not indulge in ill-feeling or personalities. President George Q. Cannon is absent, but we are sure that if he were here he would sign this declaration with us.

[Signed] WILFORD WOODRUFF,
JOSEPH SMITH,

*Of the Presidency of the Church of Jesus Christ of Latter-day
Saints.*⁵⁸

The campaign was enlivened by a conjoint debate between the candidates for the delegateship, one session of which was held at Ogden, the other at Salt Lake City.⁵⁹ There was also a sharp passage at arms between the Democratic nominee and President

58. *Deseret News*—Weekly—of March 25th, 1892, p. 440. In the Salt Lake *Herald* of Nov. 5th, 1895, will be found the Geo. F. Gibbs letter complete together with the history of the whole affair from 1891, to 1895, for this controversy arose again in the election of the latter year.

59. Full synopsis of the debate appears in the local papers—*Herald* and *Tribune* of _____

Geo. Q. Cannon relative to the latter bartering the Mormon vote for personal advantage in the matter of being relieved by the late Republican administration from the payment of the forfeited bonds in the unlawful cohabitation cases against him—already considered—in which the amount involved—with interest accrued—was \$33,000. Mr. Cannon indignantly denied in a personal card the imputation that there had been any agreement respecting Utah votes for the Republican party.⁶⁰

During Mr. Rawlin's term as delegate, as already noted in previous pages, he introduced a resolution in the house restoring the personal property of the Church of the Latter-day Saints that had been escheated by the government, amounting to nearly half a million dollars. It was passed by both the house and the senate and was finally approved by President Cleveland on 25th of October, 1893. On September 6th, Mr. Rawlins introduced an enabling act, authorizing the Territory of Utah to frame a state constitution and take the necessary steps to be admitted into the Union on an equal footing with the original states.⁶¹ The bill did not pass the house until the 13th of December of that year;⁶² and did not get through the senate until the

⁶⁰ Mr. Cannon's card is published in *Deseret News—Weekly*—of Nov. 12, 1892, pp. 651-2.

⁶¹ There is much confusion in our Utah periodicals and other publications in the dates given for the introduction of these measures, the enabling act and the resolution for the restoration of the escheated personal property of the Church. The former was introduced on the date given in the text, the sixth of September, 1893, and is recorded in the Congressional Record of Sept. 7th, p. 1220. The latter was introduced on the 9th of September, and the account of it is in the Congressional Record of Sept. 10th, p. 1281.

⁶² On learning of the passage of the bill in the house, the following telegram was signed and sent to Mr. Rawlins:

Salt Lake City,
Dec. 13th, 1893.

On behalf of ourselves and the people of Utah, we heartily congratulate you on the successful passage of your bill by the house providing statehood for our Territory. May complete triumph crown your labors, which we all highly appreciate.

(Signed) Wilford Woodruff,
Jos. F. Smith.

Geo. Q. Cannon was absent from the City—in Washington in fact—hence his name does not appear on the message. See Woodruff's Journal, *Ms.*, entry of Dec. 13th, 1893; c. f. S. L. *Herald* of Oct. 28th, 1894.

And this was sent to Mr. Rawlins from the chairman of the Republican Territorial Committee:

Dec. 14, 1894—S. L. City, Utah.

"Accept heartiest congratulations for the Republican Party of Utah, for the re-

10th of July of the following year. On the 16th of July, 1894, the bill was approved by the President and the way was thus cleared for Utah's statehood.

In 1892 an effort had been made to secure what was called "Home Rule" for Utah, a Utah Democratic measure, designed, while falling short of statehood, to secure a very much larger participation by the people in the Territorial government. It provided that all Territorial officers from governor to precinct justices of the peace and constables should be elected by the people, as well the judiciary as the executive and legislative branches; said officers to be, of course, citizens of the United States, *and citizens and residents of the Territory of Utah*. It was designed to abolish the Utah commission, as well as Washington-appointed governors and judges; it was practically a statehood measure, except for the control of the Territory which under it would still inhere in the federal government.⁶³ It was simply put forth as a measure of relief from intolerable injustice under the then existing Territorial government, pending the time when Utah might be admitted as a state. All its advocates affirmed the readiness of the Territory for admission into the Union, but feared it would be some time before public sentiment would justify congress in admitting Utah as a state, hence home rule *ad interim*. The Utah legislature memorialized congress early in 1892 to pass the bill, and in February elaborate hearings were had before the committees on Territories of the senate and house respectively, both prominent Mormons and Gentiles

sults in the house yesterday of your magnificent fight for Statehood. *The Republican Territorial Committee.*

(Signed) Chas. S. Crane, (S. L. *Herald* of Oct. 28, 1894).

The Deseret News was ardent in its praise of the part taken by Joseph L. Rawlins in securing the passage of the enabling act through the house. See Weekly, of Dec. 23rd, 1893, pp. 6 and 9.

Utah's enabling act was approved by President Cleveland on the 16th of July, and two days later—the 18th—the Presidency of the Church was mindful to recognize others, besides Democratic agencies, in securing statehood for Utah, among them Col. Isaac Trumbo, who had interested himself in Utah affairs. See dispatch to that Gentleman in Proceedings Before the Committee on Privileges and election in the Smoot Case, Vol. I, p. 830.

63. The measure was introduced into the House by Hon. John T. Caine, Utah's Delegate in congress, on the 7th of January, 1892; and into the senate by Mr. Charles J. Faulkner, U. S. Senator from West Virginia. The bill will be found in full in the congressional Record of March 30th, 1892, and in *Deseret News—Weekly*—of July 23, pp. 129-131. It consisted of 27 sections.

Second, if the remarks were as reported, then in what sense do you wish them to be understood: whether as a claim to control the political actions of your people absolutely, or only as a citizen to advise the right.

Third, the claim is apparently made in your remarks that the Church authorities claim the right to direct the people in their business and polities, and, in general, their temporal affairs, as well as spiritual. It is desirable to know whether this claim is really made and insisted upon at this time, and is to be in the future, while the public has been led to believe that claim a thing of the past.

Most respectfully,

[Signed] TRIBUNE PUBLISHING CO."

In his answer President Woodruff said that his remarks as published by the Tribune were "substantially correct." Answering the second and third question he said:

"The control of the political actions of our people absolutely' is not set up as a claim in my remarks, and I certainly would not wish them to be so understood. I hold that it is the right of the Priesthood to advise at any and all times and under any circumstances those who profess to respect its powers, in all matters pertaining to their temporal welfare and their spiritual salvation; if in the matter of polities, that the Latter-day Saints should be governed by pure principles, and in political affairs should realize and act upon their responsibilities as Saints and citizens. This is not to claim the right to advise them how or for whom they should vote, or which party they should join. We emphatically and sincerely approved the division of the Mormon people on party lines, and we recognize every man's agency and respect his right to choose in these matters for himself. We have not advised, and do not advise our people how they shall vote; the elections that have been held in this Territory since polities on national party lines were introduced, are proof of this policy; we have asked no Republican to vote the Democratic ticket, and no Democrat to vote the Republican ticket; we have never advised men to vote other than their convictions prompted them, and have no intention of giving such advice. At the same time, we claim the right, both as individuals and as leaders of the Church, to counsel our people to keep aloof from the corruption, the scandal, and the filth of polities as too frequently practiced in the world, to set an example in this as in other things, and it is in this sense that I wish to be understood as asserting the right of the Priesthood to give counsel in political affairs. As

citizens we have the right of opinion and of speech; we also have responsibilities and duties to ourselves and to others; but until the foregoing can be construed as meddling in polities, I shall be unable to find ground for the uneasiness of which you speak. However, in the light of this statement of my meaning and views, I trust there can be no further cause of anxiety or unrest; I assure you there is no foundation for it.

[Signed] WILFORD WOODRUFF.⁷³

It had been quite generally expected that Utah in this 1894 election would go Democratic. Rawlin's plurality in the previous delegate election—1892—had been 2,811, or 15,202 as against 12,390 for Cannon. This left 6,986 who voted the Liberal ticket out of the total vote of 34,577. Had this Liberal vote broken anywhere nearly even, in 1894, the Democrats should still have had a majority. But evidently the remnant of the Liberal Party from 1892 was largely Republican, and when it disbanded its members joined the Republican ranks and made that party's victory of 1894 possible. Notwithstanding this unequal break of the Liberal party remnant, however, there were other considerations which to many still justified the expectation that Utah would go Democratic—viz: It had been a Democratic congress—the 53rd—and executive which restored nearly half a million dollars of the personal property to the church; the enabling act for Utah's statehood had been introduced by a Democratic delegate from Utah; it was passed by a Democratic house and a Democratic senate;⁷⁴ it had been approved by a Demo-

73. The whole correspondence will be found in *Deseret News—Weekly*—of Sept. 29, 1894, p. 458, with editorial comment—*Ibid*, p. 457. The *Tribune* editorially accepted as satisfactory Pres. Woodruff's answer, saying:

"The reply is not a retraction of any powers professed by the Church, but it does declare that no member of the priesthood would think of advising any Mormon to vote any ticket, only claiming the right, both as a man and a priest, to watch over the morals of the people and as far as possible to shield them from all that may be debasing or immoral in politics." (S. L. *Tribune*, Sept. 25th, 1894).

The S. L. *Herald* also expressed its satisfaction: "In this connection we wish to say that rational people will not object to the introduction of polities into the pulpit, in the sense mentioned by the Mormon President. It is only when the power of ecclesiasts is used as partisans, to unduly influence church members in favor of a party or a candidate that a protest is made."

74. The senate during the first session of the 53rd Congress stood 44 Democratic; 38 Republicans; 3 Populists; and 3 vacancies. In the 2nd session the number of Democrats remained the same; the Republicans lost two, and the Populists gained two. The vacancies remained the same. See N. Y. *World Almanac* compilation of Senate statistics, 1894, p. 363; and 1895, p. 373. The House of the 53rd Congress was heavily Democratic, viz. 219 Democrats; 127 Republicans; Populists, 10. N. Y. *World Almanac*—1894, p. 368.

tution in order to comply with the demands made upon Utah as a condition precedent to admission as a state, and certainly not demanded by the people of the state. It is not putting the matter too strongly to say that its admission into the compilation of the laws was an inadvertence. But notwithstanding this re-enactment of the old void Territorial law, the constitutional convention settlement of the polygamy question, as set forth above, has been the one accepted and acted upon in the state of Utah, and despite the slight variations from the rule purposes, the constitutional conventions adjustment of the polygamy question has become the settled public policy of the state of Utah.⁸² The melancholy finality contemplated in that set-

82. In 1901 an effort was made to nullify the effect of admitting into the code this void law of Territorial days by the passage of an amendment to section 461 of the revised statutes of Utah, 1898, providing—that "no prosecution for unlawful cohabitation shall be commenced except on complaint of the wife or alleged plural wife of the accused; but this proviso shall not apply to prosecutions under section 4208 defining and punishing polygamous marriages." This amendment passed the senate March 8th, 1901, by a vote of 11 to 7; and the house a few days later by a vote of 25 to 17. This act awakened some opposition throughout the country and Governor Wells professing the fear that it would lead to wide spread agitation vetoed the bill on the 14th of March, saying, however, in his veto message; "The broadminded and intelligent everywhere accept the situation here as it exists, and are content to let time complete the solution of the problem. Even the bigoted and the meddlesome have to admit that with some exceptions the conduct and integrity of the people are above reproach. . . . While it may be urged that in any event only the few could be made to suffer, is it not an odious thought, repulsive to every good citizen, of whatsoever creed or party, that the whole state should thus be put under a ban? Surely there is none so selfish and unpatriotic as to argue that this is preferable to the endurance of a few isolated instances of prosecution—unbacked as they are by either respectable moral support or sympathy." (The message will be found in *S. L. Herald* of March 15, 1901—also in *Smoot Proceedings*, Vol. I, pp. 582-3). President Smith in his testimony before the senate committee in the Smoot Case stated in effect that he had not been prosecuted for unlawful cohabitation by the officers of the state of Utah, because of their respect for him (Vol. I, p. 334); and later stated that "not only public opinion" but the constitution of the State of Utah—having in mind doubtless the constitutional convention settlement of the polygamy question, and "the general condition that exist in Utah," justified him in living with his polygamous wives, (see *Id.*, p. 485). Against this protest was made by a meeting of 187 men and one woman, held in Salt Lake City. A protest and a memorial was drawn up and sent to congress and to the senate committee on privileges and elections denying that they were condoners of the crime of polygamous living, they protested against its continuance "and demand that this law breaking be given up in all its forms." For proceedings & Memorial see *S. L. Herald* of March 15th, 1904. This action represented no general movement and the fact remains that such toleration has excited and does exist as is made plain by testimony before the senate committee in the Smoot Case, and from conditions in Utah that are matters of common knowledge. For evidence from the testimony in the Smoot case see in addition to Pres. Smith's testimony that of E. B. Critchlow, Vol. I, pp. 618-625; and of Judge O. W. Powers, *Ibid*—where the Judge said: "Those men (i. e. old Liberals) have felt, and still feel, that if this matter is to die out and pass away, they will not interfere with them" [i. e. with Mormons living polygamously]. . . . We have not

tlement is not remote—the elimination by death of that generation of men and women who were involved in the system of plural marriage under the sanctions of the Church of the Latter-day Saints. There are but few of them left now—1915—“*and time is on the wing!*”

In the Utah election of 1895, when there was elected the first full set of state officers,—a congressman, and the legislature that would later elect the first United States Senator from Utah, the Republicans were successful. They elected every officer, state and national by pluralities ranging from 897 to 2,314. Heber M. Wells, son of Daniel H. Wells, so prominent in the early history of the Church in Illinois and in Utah Territory, was elected Governor. Mr. C. F. Allen, a Gentile, was elected to Congress; the legislature, under agreement in the Republiean caucus elected F. J. Cannon, son of Geo. Q. Cannon, and a “Mormon,” and Mr. Arthur Brown, a Gentile lawyer, of prominence, as senators.⁸³

In this 1895 campaign and election as in the preceding one the charge of ecclesiastical interference on the side of Republican interests was freely made, and largely diverted the discussion of the campaign from national questions to local ones. Also for a time threatened to endanger the harmonious working of all the people of the state for the admission of Utah into the Union. The issue arose in this manner. Running on the Democratic ticket for the place of United States Senator and representative in Congress, respectively, were two of the general officers of the Church of the Latter-day Saints, Moses Thatcher, of the quorum of the apostles, and B. H. Roberts of the first council of the sev-

known what was best to do. It has been discussed, and people would say that such and such a man ought to be prosecuted. Then they would consider whether anything would be gained; whether we would not delay instead of hasten the time that we hope to live to see; whether the institution would not flourish by reason of what they would term persecution. And so, notwithstanding a protest has been sent down here to you, [at Washington] I will say to you the people have acquiesced in the condition that exists.

“Mr. Van Cott, an Attorney: You men the Gentiles? “The witness: Yes, the Gentiles.”

83. State officers other than those named in the text were: Secretary of State, James T. Hammon; Attorney General, A. C. Bishop; Auditor, Morgan Richards, Jr.; Treasurer, James Chapman; Supt. Public Instruction, Dr. John R. Park Judges of the Supreme Court, Chas. S. Zane, Geo. C. Bartz, J. A. Miner. The vote for the constitution stood 31,305 in favor of it; against it, 7,697. The vote for Governor Wells, Rep. 20,833; Caine, Democrat, 18,519. H. W. Lawrence, Populist, 12,051. For Representative in Congress, Allen, Rep., 20,503; Roberts, Dem., 19,666. Allen's majority, 897. (N. Y. *World's election tables* 1896—Utah, p. 440).

Within a year further action was determined upon going to Mr. Thatcher's standing as a member of the Church. Under date of July 30, 1897, three of the apostles made charges of un-Christian-like conduct against him, covering largely these same difficulties arising from polities. The charges were investigated by the Salt Lake Stake High council, and were sustained. The decision was that in order to "retain his standing and fellowship in the Church of Jesus Christ of Latter-day Saints Moses Thatcher must publish a statement to the satisfaction and approval of the presidency of this stake of Zion fully covering the following points, viz: . . .

"That in taking the position that the authorities of the Church, by issuing the declaration of principles on April 6, 1896, acted in violation of pledges previously given and contrary to what they had published in the *Deseret News* and given to the *Salt Lake Times*, he was in error and in the dark.

"That he now sees there is no conflict between that declaration their former utterances in reference to political affairs.

"That he was mistaken in conveying the idea that the Church authorities desired and intended to unite church and state to exercise undue influence in political affairs."

These conditions and others enumerated in the decision, but which are mere details and addenda of the above main proposition, Brother Thatcher accepted by endorsing the decision, saying:

"Without qualification or mental reservation I accept this decision in full." — [Signed] Moses Thatcher.

This acceptance was accompanied by an explanatory note attached to the decision authorizing the publication of it as a settlement of his acceptance of, and compliance with, the decision of the high council. It was so accepted by the presidency of the stake in which the issue was tried.⁹⁶

Returning now to the matter of Utah becoming a state, from which the above matters associated with the first state election was a necessary digression, it is only necessary to say that President Grover Cleveland signed a proclamation to the effect that

⁹⁶ The case is reported at length in the *Deseret Evening News—Daily*—of Aug. 14, 1897; also in Smoot case Hearings, Vol. I, pp. 564-573.

the several requirements of the enabling act had been complied with, a constitution had been drafted and accepted by vote of the people, an election of officers for the state had been held and the results certified, the constitution and government were republican in form and not repugnant to the constitution of the United States and the Declaration of Independence, and therefore by authority vested in him declared that the admission of Utah "into the Union on an equal footing with the original states is now an accomplished fact." The proclamation was signed on Saturday the 4th of January, 1896.⁹⁷ The news of the event was received in Salt Lake City and throughout Utah with great enthusiasm. In Salt Lake City the fact of signing the proclamation was announced by the firing of guns, ringing of bells, blowing of whistles, and general jubilation. Two days later, Monday, January the 6th, the State officers were installed at a great public gathering in the Mormon Tabernacle, preceded by a procession through the principal thoroughfares. Mr. Charles C. Richards, Secretary of the late Territory of Utah acted as master of ceremonies in the absence of Governor West, the last of Utah's Territorial Governors. The opening prayer, as was most fitting, was prepared by the venerable Pioneer of Utah and President of the Church of the Latter-day Saints, Wilford Woodruff, but owing to his feebleness—he was 89 years of age now—his prayer was read by Geo. Q. Cannon.⁹⁸ A chorus of a thousand voices sang "The Star Spangled Banner." Territorial ex-delegate to congress, Joseph L. Rawlins, after being greeted by tempestuous applause, read President Cleveland's Proclamation admitting Utah into the Union.⁹⁹ Acting Governor of the Territory, Hon. Charles C. Richards, arose and said to the assembly:

97. The President's signature was affixed to the Proclamation at three minutes past ten a. m., Eastern time, or three minutes past eight a. m., standard time in Salt Lake City. *Deseret News*, Editorial account of the signing of the Proclamation—Weekly—of June 11th, 1896.

98. "I am thankful that I have lived to behold Utah a state government," is his simple journal comment on the day's proceedings.

99. As Mr. Rawlins concluded the reading of the proclamation he turned to Heber M. Wells, newly elected governor of the state and said: "And now I have the honor and the pleasure to present you, Heber M. Wells, the first Governor of [the State] Utah, the pen which was used by the President of the United States, ten minutes before the hour of midnight on the 16th day of July, 1894, signing the bill under which Utah has become a State in the American Union. I present it to you, in order that it may be kept among the archives of the State of Utah."

Woodruff to all equally.¹¹⁰ Beyond the brief biographical note of the margin it is not necessary to enlarge upon the account of his life as it has been identified with nearly all the principal events in the history of the Church since he became identified with it in 1834.¹¹¹ Brigham Young, Orson Pratt, Erastus Snow and Wilford Woodruff will stand as the four greatest pioneers of the Inter-mountain west.

As Church Historian President Woodruff rendered a most important service to the Church. His journals regularly and methodically and neatly kept and strongly bound, extending as they do from 1834 to April 18th, 1897, (with some scattering notes through the remainder of 1897 and the year 1898—when he was in his ninety-second year)—a period of sixty-three years—constitute an original documentary historical treasure which is priceless. The Church is indebted to these journals for a reliable record of discourses and sayings of the Prophet of the New Dispensation—Joseph Smith—which but for them would have been lost forever. The same is true as to the discourses and sayings of Brigham Young, and other leading Elders of the Church; while for minutes of important council meetings, decisions, judgments, policies, and many official actions of a

¹¹⁰ "He possessed the confidence and esteem, not only of the Latter-day Saints, but of all classes of people who differed with him in faith, but who had become acquainted with his sterling honesty and integrity, simplicity of manners, unostentatious life and faithful adherence to his sincere convictions. He was one of the remarkable figures in the closing scenes of the most remarkable century in the history of the world." *Deseret News—Weekly*—Sept. 10, 1898, p. 401—Editorial.

¹¹¹ The *Deseret News* in announcing the death of the President, gave the following brief biographical sketch of his life: "Wilford Woodruff was the fourth President of the Church of Jesus Christ of Latter-day Saints. He was born at Farmington (now Avon), Hartford Co., Connecticut, March 1, 1807. He was the third son of Aphek and Beulah Thompson Woodruff. From his early youth, and in the midst of a busy life, he meditated on religious subjects. On December 29, 1833, he first heard the Gospel from the lips of Elders Zera Pulsipher and Elijah Cheney. To hear the truth was, with him, to believe it, and on January 1, 1834, he received baptism. The following April he went to Kirtland, and became acquainted with Joseph the Prophet."

And as stated in the text, his life, travels, labors and adventures have been interwoven with the events of the Church history. From his journals he himself made a summary of the miles traveled, letters received and answered, discourses delivered, etc. From this summary we are able to present the following facts: From the beginning of his ministry in 1834 and to the close of the year 1895, he had traveled 172,369 miles; held 7,655 meetings; preached 3,562 discourses; organized 51 branches of the Church, and 77 preaching places. He traveled in England, Scotland, and Wales, and in 23 states and 5 Territories in the Union." (*Deseret News—Weekly*—1898). In the same number of the *News* will be found the funeral services complete.

private nature, without which the writer of history may not be able to get right view points on many things—in all these respects these journals of President Woodruff are invaluable. Other men may found hospitals or temples or schools for the Church, or endow special divisions or chairs of learning in them; or they may make consecrations of lands and other property to the Church, but in point of important service, and in placing the Church under permanent obligations, no one will surpass in excellence and permanence or largeness the service which Wilford Woodruff has given to the Church of Jesus Christ in the New Dispensation, by writing and preserving the beautiful and splendid journals he kept through sixty-three eventful years—so far do the things of mind surpass material things. The journals should be given a special place in the archives of the Church.

CHAPTER CXXIII

THE ADMINISTRATION OF PRESIDENT LORENZO SNOW—FINANCIAL PROBLEMS—THE LAW OF TITHING—THE ROBERTS CASE IN CONGRESS—THE "AWLINS" SENATE RESOLUTION—PRESIDENT SNOW ON THE MISSION OF THE APOSTLES—DEATH OF PRESIDENT SNOW

PRESIDENT SMITH'S ADMINISTRATION—REORGANIZATION OF THE FIRST PRESIDENCY—THE ELECTION OF REED SMOOT AS UNITED STATES SENATOR FROM UTAH—THE SMOOT HEARINGS BEFORE THE SENATE COMMITTEE ON PRIVILEGES AND ELECTIONS—ACTION OF THE SENATE ON THE SMOOT CASE—ATTITUDE OF PRESIDENT ROOSEVELT ON THE SMOOT CASE—THE RISE AND COLLAPSE OF THE "AMERICAN PARTY"—THE MAGAZINE CAMPAIGN AGAINST THE CHURCH—RESIGNATION OF APOSTLES TAYLOR AND COWLEY—THE CHURCH'S ADDRESS TO THE WORLD—CHANGES IN PRESIDING COUNCILS—PRESENT STATUS OF THE CHURCH—CLOSING REFLECTIONS

A short time before his death President Woodruff announced to his immediate associates in the administration of Church affairs, that "it was not the will of the Lord that in the future there should be a lengthy period elapse between the death of the

the polls in Utah would close the opposition, and that acquiescence in the expressed will of the people of the state would follow. This was not the case. On the contrary a convention of Salt Lake sectarian ministers, twenty-four in number, met on the 6th of December, 1898, formulated and adopted an address making an appeal to the people of the United States to join them in a strong protest to congress against the admission of the member-elect from Utah on the ground that his election had been in "violation of the covenant made between the Mormon leaders and the government when Utah was admitted to statehood."¹⁵

the conditions that have prevailed here in Utah. You know all about the circumstances. I have been in public life before you for some twenty years. I am not driven to the necessity at this late day of undertaking to defend my moral character. I refer the question to you for an answer. You shall answer these charges." And they answered them by rolling up a plurality of 5,665 votes for the member from Utah out of a total vote of 67,805.

"And here let me say, that that plurality was not given by the Mormon people. You make a mistake if you suppose that I am here the representative of the Mormon Church and that it was the Mormon vote that sent me here as against the protesting gentile vote of the State. I call your attention to the figures and to some local facts that are very interesting in regard to his question. I carried every gentile stronghold in the State of Utah. Take, for instance, Salt Lake City, Ogden, and the mining camps of Utah. They are all known to be non-Mormon strongholds. Roberts carried Salt Lake City by 6,195 votes as against 4,564 for the Republican candidate, and 1,165 for the Populist, making a plurality in that city of 1,631. Ogden was carried by Roberts by 2,122 votes, as against 1,492 for the Republican candidate, and 409 for the Populist, a plurality of 533 in Ogden. Consideration of the votes in the mining-camp counties is also of interest. First take Tooele County, in which Mercur, Utah's great gold-mining camp is located. In Tooele City; almost exclusively Mormon, the Republican candidate received 237 votes, while the Democratic candidate the supposed Mormon candidate received but 213. At Grantsville, with an almost exclusively Mormon population, the Republican candidate received 171 votes, while the Democratic candidate received but 157. But in the two districts of Mercur, a mining camp, and almost exclusively non-Mormon, the Democratic candidate received 243 votes and the Republican candidate but 203.

So it goes through the State, losing almost every Mormon stronghold, but sweeping every non-Mormon stronghold. And I stand here to-day elected by the Gentile votes of Utah, rather than by the Mormon votes, and that, too, as reported here by your committee."

15. The document complete will be found in *Salt Lake Herald* of Dec. 7th, 1898. A reply was written to the Ministerial Association's address by Elder C. W. Penrose denying the charges made, and showing the deductions and conclusions to be absurd (See *Deseret Evening News* of Sept. 3rd, 1899).

A denial of these charges was telegraphed to the N. Y. *World* over the signature of President Snow, except as to cases of polygamous living, in relations that had been formed previous to the manifesto of 1890. President Snow also denied that the Church had any interest in the nomination, election or seating of Mr. Roberts, that all this was a secular affair. "Non-Mormons," said President Snow, "participated in his nomination in the regular convention of his party. Non-Mormons also aided in his election. Many Mormons not being of his party, voted for his opponent. He was not a Church candidate in any sense of the word. The Church had no candidate. He was elected as an American citizen by American citizens and the question of religion did not enter into the purely political contest" (New York *World*, of Dec. 30, 1898).

The agitation continued throughout the year between the election and the opening of the congress to which the representative was elected, with the result that when presenting himself to be sworn as a member, a petition with more than 7,000,000 signatures had reached the house of representatives, praying for his exclusion.¹⁶ Mr. Robert W. Tayler of Ohio, when the member from Utah was called to the bar of the house, rose in his place and on his own responsibility charged that the representative elect from Utah was ineligible to a seat in the house of representatives, that ineligibility being evidenced, as the member from Ohio alleged, by public records, affidavits, and papers. He therefore moved—

"That the question of the prima facie right of Brigham H. Roberts to be sworn in as a Representative from the State of Utah in the Fifty-sixth Congress, as well as of his final right to a seat therein as such Representative, be referred to a special committee of nine members of the House, to be appointed by the Speaker; and until such committee shall report upon and the House decide such question and right, the said Brigham H. Roberts shall not be sworn in or be permitted to occupy a seat in this House; and said committee shall have power to send for

16. Formally presented to the House by Mr. Taylor of Ohio, Congressional Record of Dec. 4th, 1899. House Proceedings.

The following statement concerning the character of this "Monster petition" was made by Mr. Roberts in his first speech upon the floor of the house in his own defense.

"One word in relation to the petition of 7,000,000 people that has been rolled up here. I say to the gentleman from Ohio that it would be exceedingly interesting to know how many of these signatures were collected in the Sunday schools.

"Mr. Fox. Will the gentleman yield to a question?

"The Speaker. Does the gentleman yield?

"Mr. Roberts of Utah. I decline to yield. It would be interesting to know, furthermore, how many of the signatures are repetitions, because I find this in an official letter of the National Anti-Polygamy League, sent out throughout the country, from which I read—an official letter, signed by the secretary, Grace J. Cutler. The party to whom this letter is addressed is asked to secure the signatures of 2,000 people to the anti-Roberts petition:

"Get the young people to sign, too, and aid you in securing signatures. It is not necessary that only adults have representation on the petition. A few young ladies could in a very short time secure the necessary 2,000 names if you would interest them in this great moral work. No matter if your friends have signed other Roberts petitions, request them to sign again, as it is absolutely necessary to have one monster national petition large enough to make the members of Congress realize instantly the public demand that Roberts be cast out.

"And yet, having collected such a petition as that, and by such methods, you come here and propose to stop a Representative of a sovereign State from taking the oath of office! Do you think that will not establish a precedent that will bring chaos sometime on the floor of this House?" (Congressional Record, December 5th, House Proceedings, p. 48).

persons and papers and examine witnesses on oath in relation to the subject-matter of this resolution."¹⁷

On this action the representative from Utah was not permitted to be sworn in; and the following day after three hours debate the house voted to appoint the committee and follow the course of action outlined in Mr. Tyler's resolution.¹⁸ After exhaustive investigation and discussion of the subject through six weeks the matter was finally reported to the house. Seven of the committee reported in favor of excluding the member from Utah, which could be determined by a majority vote of the house; the other two, Mr. C. E. Littlefield of Maine, and Mr. David A. De Armond of Missouri, presented "Views of the Minority" which favored admission of the Utah member—on constitutional grounds—and then expulsion, which would require a two-thirds vote of the house to accomplish. For three days the question was debated, with the result that on a vote being taken 244 voted for exclusion, and 50 against it, 36 not voting.

The question of the right of congress to take such summary and arbitrary action as this was gravely doubted by many in congress, and by more outside of it; but consideration of the constitutional questions as to the rights of the house to so proceed are too involved to be considered here.¹⁹ As to the merits of the case considered in themselves the action was based upon

17. Congressional Record, 56th Congress, house proceedings of Dec. 4th, 1899.

18. The Committee consisted of the following gentlemen—Mr. Tayler, Ohio, chairman; Mr. Landis, Indiana; Mr. Morris, Minnesota; Mr. Freer, West Virginia; Mr. Littlefield, Maine; Mr. McPherson, Iowa; Mr. De Armond, Missouri; Mr. Lanham, Texas; Mr. Miers, Indiana. The vote on this question was as follows: yeas, 304; nays 31; not voting, 19. Congressional Record for Dec. 5th, 1899, p. 52.

19. See the very able and exhaustive paper prepared by *Messrs* Littlefield and De Armond, of the special committee in the Roberts case in the Committee's Report under the caption "Views of the Minority." House Report 85, part 2, 1st Sess. 56th Cong., pp. 53-77. Also speeches of Mr. Littlefield, Congressional Record of 23rd January, 1900; speech also of De Armond, Congressional Record of 25th January, 1900. Together with a great amount of commentary in the press of the country during the months through which the case was before Congress—Dec. 4th, 1899—1900. Of course the arguments and authorities of the Committee's Report will be found in that Report (56th Cong., 1st Sess., Rept. 85, pt. 1); and in the speeches of Mr. Taylor, of Dec. 4th and 5th, 1899 and Jan. 23rd and 25th, 1900. Also the speeches of Mr. Lanham, of Texas, Mr. Powers, of Vermont. Mr. McPherson, of Iowa. Mr. Miers, of Indiana and a number of others whose speeches occur in the Congressional Record between the dates of 23rd, and the 30th of the same month, of 1900, and also Editorials of the daily press and other periodicals throughout the country during December and January, 1899-1900.

a false issue. The case presented by the Ministerial association, on which they made their appeal to "the people of the United States" was that by the election of one so related to the Mormon marriage system as was Mr. Roberts there had been a violation of the covenant made between Mormon leaders and the government when Utah was admitted to statehood. And therefore to admit Mr. Roberts would be to put the seal of government approval upon this flagrant breach of faith and honor.^{19½} To make that assertion good, warrant must be found for it in what the people of the United States through their representatives in Congress demanded of the people of Utah as a condition precedent to statehood; and that requirement, and the only one in regard to polygamy, is stated in these terms:

^{19½.} Utah Ministerial Association Address, S. L. *Herald*, Dec. 7th, 1898. Relative to putting the government's seal of approval upon this alleged breach of faith and honor, the Utah member in a N. Y. *Times* article answered:

"In the name of all that is consistent, I would like to know how the Mormon people could hope to base a revival of the practice of plural marriage—even if they had the disposition to do so—on the fact of the Representative from Utah taking and retaining his seat in the house. Does the house of representatives endorse the individual views of all the men it admits to membership? If Socialists should from some congressional district elect a congressman, would his admission to the house say to the world that the American Congress indorsed socialism? Surely my enemies give the Mormon people and even Congress little credit for common sense when they trump up such a charge as this." (New York *Times* of Nov. 19, 1899). Also Smoot Hearing, Vol. I, 2nd Washington *Post* of Nov. 29, 1899. Mr. C. E. Littlefield in discussing the "compact" or "understanding," alleged in the Special Committees majority report to exist between the government of the United States and the Territory of Utah about statehood, said: "The ingenuity of the majority is not yet exhausted. They say: His election as a representative is an explicit and offensive violation of the understanding by which Utah was admitted as a state. I would like to inquire of the majority where they find the authority for the proposition that the United States Government can go into the question of an 'understanding' that existed before a state was admitted into this Union, and then, having found it, exercise this domiciliary, supervisory, disciplinary power over the State. Where does it exist? What is it indicated by? Is it oral? They do not undertake to suggest it is in the enabling act, although they refer to it. But is it an oral 'understanding' that exists between the states by reason of this 'general welfare' power? I assume that they invoke it under this 'general welfare' proposition. Think of it! An 'understanding' which is based on what? A compact or a contract? I had supposed it was too late at this stage of the history of the Republic, in these times of peace, to invoke the proposition of a contract, existing between the States and the General Government."

I knew that the theory of a contract was the parent of the infamous heresay of secession, and I have believed that it was wiped out in blood from 1861 to 1865. More than 500,000 of the best, truest, most heroic, and bravest men that ever met on the field of battle—the blue and the gray, brethren all—rendered up their lives that that infamous proposition should be blotted out, and blotted out forever. Let the dead past bury its dead. I submit that under these circumstances it ill becomes this House to undertake, in the interest, if you please, of civilization, to invoke anew the proposition of a contract existing between a State and the United States." (Congressional Record, 56th Cong. of Jan. 23rd, 1900).

with the advice and consent of the senate, or in cases where the concurrence of the senate is not required, and if so have such appointments been made in aid of polygamy or in violation of the compact between the United States and the state of Utah with reference to that subject?

Fourth—What, if any, steps should be taken or measures enacted for the prevention of polygamy in the United States and in places over which they have jurisdiction.”²⁰

Mr. Rawlins contended of course that there was no “compact” except the demand that the Utah constitution should prohibit future polygamous marriages as already quoted from this interview in preceding pages. Then he proceeds:

“But it is charged that the people of Utah have elected polygamists, or persons in that status, to office. This is true in some instances and it is equally true that the United States, acting by the President with the consent of the Senate has appointed polygamists to office and under such appointments for almost three years these polygamists have held and are now holding important federal offices in the state of Utah.”

“If this be a violation of the compact, both parties have violated it, the President on the one hand and the electors of the state on the other. No more have the people of Utah than the President sought to cram polygamy down the throat of the nation or the state. *Such a motive cannot be justly ascribed to either.*

“That polygamists should be disqualified to vote or to hold office was no part of the compact between the State of Utah and the United States. In territorial elections polygamists were so disqualified. *But congress purposely and knowingly wiped away all such disqualifications as to the very first election to be held under the enabling act*, namely, the election of delegates to the constitutional convention. If persons who happened to be in the status of polygamy have been elected by the people of Utah, or appointed by the President to office, it has been for other reasons, personal or political, and not to lend countenance or aid to that practice.

“Further accession to the ranks of polygamy being rigidly forbidden, and out of the question, it has not been thought necessary, or quite in the line of charity to keep a class otherwise reputable under perpetual civil or political disability.”

²⁰ The resolutions appear with the Interview in the *Washington Post* of Nov. 29, 1898. Mr. Rawlins introduced said resolution and had it read from the clerk's desk in the senate on the 6th of Dec., and it was referred to the Committee on Judiciary Congressional Record, 56th Congress, p. 98.

The charge that the Republican administration had appointed polygamists to office, with all the consequences stated above by Mr. Rawlins, and one other—namely, that the administration had set the example in the matter—was dramatically challenged by Mr. Grosvernor of Ohio; but notwithstanding the challenge of the fact it was true that the McKinley administration, with the consent of the U. S. senate, had made such appointments, and that, too, with the knowledge at least by the President and the senate committee on post offices and post roads, that they were living in polygamous relations. In addition to the statement of Mr. Rawlins already quoted from his *Washington Post* interview, Mr. Rawlins wrote and handed to the representative from Utah the following autograph letter now in his possession:

“UNITED STATES SENATE.

WASHINGTON, D. C., Dec. 15, 1899.

Hon. B. H. Roberts,

DEAR SIR: In relation to the appointments of John C. Graham as postmaster at Provo and Orson Smith as postmaster at Logan, I remember it was stated in the public press of Utah that protests against these men had been signed and forwarded to the President charging them with living in polygamy, that these men were generally reputed to be polygamists. That afterwards the names of these men were sent to the senate by the President. That while the matter of their confirmation was pending in the senate I was informed by my colleague, Senator Cannon, that affidavits charging them with living in polygamy had been presented to the President, and laid before the Committee of the Senate on Post Offices and Post Boards.

Respectfully,

J. L. RAWLINS.²¹

In addition to this evidence there was much more presented in the remarks of the Utah representative, and is to be found in his first speech in the house in his own defense. And was later further evidenced in the fact that several of the federal office holders named in the discussion were removed from the

21. See Rawlin's *Washington Post* Interview, of Nov. 29, 1899. Thirty-one of the 107 members of the Utah Constitutional Convention, were in the status of polygamy, and were elected and served without protest from any quarter. See tabulation of the convention in respect to this matter in *Proceedings in the Smoot Case*, Vol. LV, pp. 136-7.

federal positions to which they had been appointed, but unjustly so, because there was no pledge asked and none given that men in their status as to polygamous living would neither be appointed, nor elected to office; and as Senator Rawlins, the author of Utah's enabling act, explains and as already quoted:

"That polygamists should be disqualified to vote or to hold office was no part of the compact between the State of Utah and the United States. In Territorial elections polygamists were so disqualified. But Congress purposely and knowingly wiped away all such disqualifications as to the very first election to be held under the enabling act, namely, the election of delegates to the constitutional convention."

Only one thing more in President Snow's administration remains to be mentioned. In a previous chapter attention was called to Lorenzo Snow's world-embracing grasp of things with reference to the largeness and mightiness of the new dispensation of the Gospel of Jesus Christ, of which the Church of the Latter-day Saints is the manifestation and working power—when he was upon his mission as an apostle in Italy and Switzerland in 1849-1852.²³ After the financial difficulties of the Church were put in the way of adjustment his mind seemed to revert to this world-wide extension idea of the gospel, and he introduced the subject into the councils of the Apostles. He doubted the propriety of the Twelve Apostles and their co-laborers the Seventies remaining so constantly at home attending to the organized stake and auxiliary association affairs in Zion—and which could so easily and more appropriately be attended to by others²⁴—while so much of the

23. See Chapter LXXVII, this History.

24. "For instance," said President Snow, when discussing this subject in a council meeting of the Apostles, "here are the Young Men's Mutual Improvement Associations, and it is astonishing, when we come to think about it, that the Apostles should be spending their time so largely among them. One would think that young men, properly instructed in a quorum [association] capacity, ought to be able to carry on this work with such aid as they might get in their different stakes. It seems to me the quorums of the Priesthood will have to receive attention. The active work that is being done appears to be in the direction of Mutual Improvement, but the quorums are not doing much." (President Joseph F. Smith in an article in the *Juvenile Instructor* on the "Last Days of President Snow," Vol. XXXVI, pp. 689-90). This, later, in the succeeding administration, led to the enlargement of the work among the quorums of the Priesthood that now characterizes the Church's activities.

world was uninstructed as to the New Dispensation message—so many nations and peoples that had not as yet heard the glad tidings of a restored gospel and a divine authority and commission given to teach it to the world. It was this spirit operating upon the mind of President Snow that led to the organization of the mission to Japan. Elder Heber J. Grant of the council of the Apostles was appointed on the 14th of February, 1901, to open this mission. Subsequently Horace S. Ensign, Alma O. Taylor and Louis A. Kelsch were associated with him, and together they started for Japan July 24th, 1901, arriving at Yokohama on the 12th of August. Progress was slow and difficult in this Mission, but finally a foothold was obtained. Articles were published in the periodicals of the country, announcing the mission and its purpose, tracts in explanation of the new dispensation message were also published, and finally the Book of Mormon was translated and published, the work, chiefly, of Elder Alma O. Taylor. The first convert to the faith was baptized at Tokyo on the 8th of March, 1902; and now (1915) in Japan, and for some years past, a mission has been maintained in that land.²⁵

The opening of the work in Japan, however, President Snow regarded only as a beginning.²⁶ He had in mind the empires of Russia and Austria, and the Republics of South America. "He referred to the experience of men as given in the Book of Mormon," says President Smith, referring to a council meeting of the Apostles of August 22nd, 1901, "who went and labored among their bitterest enemies and accomplished a mighty work.

25. The first convert's name was Hajimi Nakazaha, formerly a shinto-priest. Eleven Elders from Zion are at present in the Mission (1915).

26. In a council meeting of the Apostles on the 28th of September, President Snow, remarked: "I want to say—I want to say, here are the Apostles and the Seventies, their business is to warn the nations of the earth and prepare the world for the coming of the Savior. They have been engaged in this more or less. Now we find ourselves in a compact, gathered condition, the Church divided into stakes, and we come together from time to time in a council capacity to consider the interests of the cause generally, and make appointments for brethren to visit the stakes when holding their conferences. It looks to me that our minds ought to extend somewhat, and we get out of the beaten track, and a little change be made. For instance, we have started in this direction by sending Brother Grant over to Japan, but this is only a start. Things seem to be going on favorably with him; but whether he will accomplish much or not matters not in one sense; it is for the Apostles to show to the Lord that they are His witnesses to all the nations, and that they are doing the best they can." (Last Days of President Snow, by President Joseph F. Smith, *Juvenile Instructor*, Vol. XXXVI, p. 690).

Of course the Twelve Apostles labor under the direction of the First Presidency of the Church (Doc. & Cov., sec. 107:33); and it is but just to them to say that they have always held themselves ready to go wherever sent, and whenever called; and the purpose of the introduction of the foregoing questions by President Snow was doubtless to prepare the minds of the Twelve for a larger conception of their duties, previous to entering into broader fields of activity under the direction of the First Presidency.

On the 12th of April, 1901, President George Q. Cannon had died at Monterey, California. At the October conference Elder Joseph F. Smith was advanced from the position of second to first councilor in the Presidency, and Rudger Clawson of the council of the Twelve was chosen to be second councilor; but the Presidency as thus constituted, however, did not survive long as three days after the close of the conference, *viz*, October 13th, 1901, President Lorenzo Snow died.

Following both the instruction of President Woodruff—previously mentioned—and the example in organizing the First Presidency when Lorenzo Snow was chosen, the council of the Apostles and the two of the late president took immediate action in the matter of reorganizing the First Presidency. Seven days after the death of President Snow the organization was effected—October 17, 1901. Joseph F. Smith was chosen President and selected John R. Winder and Anton H. Lund for his councilors in the order named. John R. Winder at the time of being selected was second councilor in the presiding Bishopric of the Church, a high priest therefore, and a man of large experience, much beloved by the brethren of the authorities, and by the people generally. Anton H. Lund, was a member of the Apostles quorum and a faithful man, held every where and by all classes of the community in esteem. President Joseph F. Smith, was a son of Hyrum Smith, brother of the Prophet Jo-

ident Snow's discourse, President Joseph F. Smith said:

"By way of comment I may briefly add, that we accept what is contained therein on the duties of the Twelve, and presiding Priesthood, as the word of the Lord to us all. It is so plain and so convincing as to leave no room for doubt; and there remains but one thing for us to do, and that is to zealously and arduously labor to successfully accomplish all that is required at our hands." (*Last Days of President Snow, Juvenile Instructor*, Vol. XXXVI, p. 690).

seph, who shared martyrdom with that brother in Carthage prison. It had long before been predicted that Joseph F. Smith would preside over the Church; and this, with the sympathy that his family relationship elicited, together with the fact of his well known uprightness of life, and his love and devotion for the work of the new dispensation of the Gospel, combined to make his selection for President very acceptable to the Church. Hyrum M. Smith, son of President Smith, was a few days later—October 24th—chosen to fill the vacancy in the council of the Twelve Apostles made by the advancement of Elder Lund to the Presidency. Orrin P. Miller was chosen the same day to fill the vacancy in the Presiding Bishopric of the Church, made by the advancement of John R. Winder to the Presidency. These changes brought Brigham Young, son of the late President Brigham Young, to the position of President of the quorum of the Twelve Apostles.

A special general conference of the Church was called to meet on the 10th of November to ratify the several steps that had been taken in organizing the First Presidency and the changes effected in the Council of the Apostles and the presiding Bishopric. Accordingly the conference convened and sustained all the general officers of the Church, including all the new appointments. The priesthood was grouped in a general assembly of quorums, each order of officers by itself and expressing by its position, its relationship to the whole organization. The several motions were voted upon by each group severally, and then finally by the whole body of the priesthood and the people.²⁹

Early in President Smith's administration, that is to say January 20th, 1903, the Republican legislature of Utah elected Reed Smoot to be United States Senator from Utah. As he was a member of the quorum of the Twelve Apostles, having been chosen to that office at the General Conference of the Church in April, 1900, filling the vacancy occasioned by the death of Franklin D. Richards, and as he, of course, had conformed to the Church rule, and obtained leave of absence as to his Church duties in or-

29. Elaborate Minutes of the conference will be found in *Mill. Star*, Vol. LXIII, pp. 769-772 and 778-791. President Smith's important discourse at this conference will be found complete, *Ibid*, pp. 785-87 and 801-4.

A minority of the senate committee, however, presented views adverse to the findings of the majority. In closing their review of the testimony presented, the minority said:

"The conditions existing in Utah since Reed Smoot became an official of the Mormon Church in 1900 have been such that non-Mormons and Mormons alike have acquiesced in polygamous cohabitation on the part of those who married before the manifesto of 1890, as an evil that could best be gotten rid of by simply tolerating it until in the natural course of events it shall have passed out of existence.

With this disposition prevailing everywhere in the state of Utah among all classes—the Gentile or non-Mormon population as well as among the Mormons—the undersigned are of the opinion that there is no just ground for expelling Senator Smoot or for finding him disqualified to hold the seat he occupies because of the fact that he, in common with all the people of his state, has not made war upon, but has acquiesced in, a condition for which he had no original responsibility. In doing so he has only conformed to what non-Mormons, hostile to his church, as well as Mormons, have concluded is, under all the circumstances, not only the wisest course to pursue, but probably the only course that promises effective and satisfactory results.

[Signed] J. B. FORAKER,
ALBERT J. BEVERIDGE,
WM. P. DILLINGHAM,
A. J. HOPKINS,
P. O. KNOX.³⁶

The case was called up in the Senate on the 13th of December, 1906, when Senator DuBoise, of Idaho, made an exhaustive speech supporting the resolution of the Committee, *viz*: "that Reed Smoot was not entitled to a seat as a senator of the United States from the State of Utah." And from thence to the time that the vote was taken upon the resolution—20th of February, 1907—many senators made speeches upon the subject, and Utah affairs were fully discussed through all that time. As finally voted upon the resolution was so amended as to require the concurrence of two-thirds of the senators present, and on the resolution so amended the vote stood; yeas 28; nays, 42; not voting 20. "So the resolution was rejected, two-thirds of the senators present not voting therefor,"³⁷ and Mr. Smoot retained his seat.

36. *Ibid.* 505.

One thing was demonstrated by this investigation, *viz.*: that the Utah constitutional convention settlement of the Mormon polygamy question was the one that was being adhered to in Utah, and that in spite of some exceptions to the contrary, *viz.*: that there should be a cessation of polygamous marriages for the future, but that in polygamous families where the plural relations were established previous to the Woodruff manifesto of 1890, they should not be disturbed by prosecutions under the law. That is to say, as to the latter part of the statement, and to quote the words of the minority members of the Senate committee on Privileges and election—

"The conditions existing in Utah have been such that non-Mormons and Mormons alike have acquiesced in polygamous co-habitation on the part of those who married before the Manifesto of 1890, as an evil that could best be gotten rid of by simply tolerating it until in the natural course of events it shall have passed out of existence."

One other thing also was disclosed by this investigation, *viz.*: that as to new polygamous marriages, by which is meant such

37. *Congressional Record*, for 20th Feb., 1907, pp. 3429-30. In addition to the support of powerful members of the Senate, it was quite generally understood that President Roosevelt threw the weight of the administration in favor of the senator from Utah; but President Roosevelt insisted that he gave only a moderate personal support, based upon his confidence in the Utah senator's report of his absolute freedom from all entangling associations with practical polygamy, and of all kinds of sex immorality. Of his connection with the Smoot case, and the part he took therein, Ex-President Roosevelt in a letter to Mr. Isaac Russel, published in *Colliers—Weekly*—for April 15th, 1911, said:

"As for the case of Senator Smoot himself, he came to me of his own accord, and not only assured me that he was not a polygamist, but, I may add, assured me that he had never had any relations with any woman excepting his own wife; and I may also add that it was the universal testimony of all who knew anything of his domestic life that it was exemplary in every way. He also assured me that he had always done everything he could to have the law about polygamy absolutely obeyed, and most strongly upheld the position that the Church had taken in its public renunciation of polygamy and that he would act as quickly, against any "Mormon" who nowadays made a plural marriage as against a Gentile who committed bigamy. I looked into the facts very thoroughly, became convinced that Senator Smoot had told me the truth, and treated him exactly as I did all other Senators—that is, strictly on his merits as a public servant. I did not interfere in any way as to his retention in the senate, save that where Senators came up to speak to me on the subject, I spoke to them freely along the lines I have here outlined, taking the view which I believe is the only view that an American can consistently take, namely, that if Mr. Smoot or any one else had disobeyed the law he should, of course, be turned out, but if he had obeyed the law and was an upright and reputable man in his public and private relations, it would be an outrage to turn him out because of his religious belief." (The letter was copied for *Colliers* by permission, with the correspondence that brought out the statement, into the Improvement Era for June, 1911, pp. 712-718).

the 5th of April, 1907, in which were discussed the whole mission and attitude of the Church and especially its attitude with reference to the questions at issue in the recent period of agitation,—1903-1907—*viz.*, polygamy, Church dominance of the state, and ecclesiastical dictation in political matters. Relative to the first the Address declared that the Latter-day Saints had bowed in respectful submission to the laws and constitutional provisions affecting plural marriages. “If it be urged,” said the address, that there have been “instances of the violation of the anti-polygamy laws, and that some persons within the Church have sought to evade the rule adopted by her, prohibiting plural marriages, the plain answer is that in every state and nation there are individuals who violate law in spite of all the vigilance that can be exercised; but it does not follow that the integrity of a community or of a state is destroyed, because of such individual transgressions. . . . When all the circumstances are weighed, the wonder is, not that there have been sporadic cases of plural marriage, but that such cases have been so few. It should be remembered that a religious conviction existed among the people holding this order of marriage to be divinely sanctioned. Little wonder then that there should appear, in a community as large as ours, and as sincere, a few overzealous individuals who refused to submit even to the action of the Church in such a matter, or that these few should find others who sympathized with their views; the number, however, is small.

“Those who refer to ‘Mormon polygamy’ as a menace to the American home, or as a serious factor in American problems, make themselves ridiculous. So far as plural marriage is concerned, the question is settled. The problem of polygamous living among our people is rapidly solving itself. It is a matter of record that in 1890, when the manifesto was issued, there were 2,451 plural families; in nine years this number had been reduced to 1,543. Four years later the number was 897; and many of these have since passed away.”⁴⁰

With reference to the subject of Church dominance of the

40. The address will be found complete in *Defense of the Faith and the Saints*, Vol. II, pp. 237-254.

state, and of ecclesiastical interference with the affairs of the state, the address said:

"The Church of Jesus Christ of Latter-day Saints holds to the doctrine of the separation of church and state; the non-interference of church authority in political matters; and the absolute freedom and independence of the individual in the performance of his political duties. If, at any time, there has been conduct at variance with this doctrine, it has been in violation of the well settled principles and policy of the Church.

We declare that from principle and policy, we favor:
The absolute separation of church and state;
No domination of the state by the church;
No State interference with the functions of the Church; or
with the free exercise of religion;

The absolute freedom of the individual from the domination of ecclesiastical authority in political affairs;

The equality of all churches before the law.

The reaffirmation of this doctrine and policy, however, is predicated upon the express understanding that polities in the states where our people reside, shall be conducted as in other parts of the Union; that there shall be no interference by the State with the Church, nor with the free exercise of religion."

The "Address" was conceived and written in a conciliatory spirit, and was intended to form the basis of a right understanding of the attitude of the Church of the Latter-day Saints with reference to her whole mission and message to the world, and especially with reference to the questions that had been immediately at issue in the recent controversy. It was met by the Ministerial Association of Utah with a very unfair "Review" and condemnation, in which the Ministerial Association sought to discredit the "Address" in public opinion.⁴¹ In this, however, it has failed, since the views then set forth with reference to polygamy and polygamous living have become the recognized "public policy of the state and the nation."

Without any good reason appearing for it, in the later months of 1910, and thence through the year 1911, there was waged a bit-

41. The "Review" in full will be found in Defense of the Faith and the Saints, with an exhaustive discussion of the Review in a speech delivered at the Y. M. M. I. Conference of June 9th, 1907, held in Salt Lake City. The two papers and the answering speech fill pp. 236-263 of the Defense.

ter American magazine warfare against the Church of the Latter-day Saints, and more especially against President Joseph F. Smith; and on this same old question of polygamy and polygamous living. Mr. Reed Smoot had been re-elected Senator from Utah by a unanimous vote of the Utah legislature on the 20th of January, so that the magazine crusade could not have been undertaken with a view to his defeat, and for re-election and there seems to be a mystery to this day as to the cause of this sensational magazine uprising against the Church of the Latter-day Saints⁴²—its officers and members.

To counteract this old warfare in its new phase, the First Presidency of the Church issued a signed address to the officers and members of the Church in general conference on the 9th of April, 1911, taking note of these magazine articles, denying their statements and deductions, and setting forth the truth in respect of such things as were alleged. The address was adopted and endorsed by unanimous vote of the general conference, and given out to the press of the country.⁴³ About the same time ex-President Roosevelt's letter to Mr. Isaac Russel appeared in *Colliers* (15th of April, 1911) in which he gives, without designing to do so, a refutation to many of the charges made against the Church both as to new cases of polygamy, by reason of investigations of the government's secret service during his incumbency of the president's office, which he reports, and also as to the alleged political deals between himself and the Mormon

42. Pearson led off with three articles, September, October and November, 1910, by Richard Barry, and the Editor. Frank J. Cannon, former Senator from Utah, and son of the late George Q. Cannon—so long counselor in the First Presidency—came next. His first article appeared in "Every Body's Magazine" for December, 1910, and continued through eight numbers of the publication. The article was written in collaboration with Harvey J. O. Higgins. Next came McClure's with two articles, January and February, 1911—by Burton J. Hendricks, and comments by the Editor. The Cosmopolitan had two articles—March and April, 1911, by Alfred Henry Lewis, so personal and bitter, and so viciously illustrated that the articles defeated their own ends, and brought the author more censure than praise. These magazine articles were the occasion of wide spread and generally unfriendly and denunciatory editorials in the daily press of the country, and the Church suffered much in her reputation because of this unreasonable crusade.

43. The address is published in the Improvement *Era* of June, 1911, pp. 719-724.

Church authorities. Incidentally, too, he bears strong testimony to the virtues of the Mormon people.⁴⁴

This magazine crusade of 1910-1911—failed of its purpose, if that purpose was to change the public policy either of the state of Utah or the nation with reference to polygamous living. The subject is no longer agitated in Utah or in the nation; and as previously remarked it is a matter that is passing into extinction from natural causes.

A local effect of these recent crusades and the Smoot investigation was to bring into temporary existence the old anti-Mormon political party of Utah, but under a new name. Instead of assuming the old title "Liberal" it was called the "American Party." Its founders justified their action in calling it into existence because of the alleged disclosures in the Smoot investigation, and what was alleged to be a general recurrency to the practice of polygamy and Mormon ecclesiastical interference in political affairs. The first steps in the matter of effecting an organization were taken on November 7th, 1904, at a time when taking testimony in the Smoot hearings was in full blast. The methods of campaigning were sensational, and such was the state of public opinion that a year from that time at the municipal election held in Salt Lake City, the American Party elected their candidate for Mayor and a majority of the city council; so that the city administration went into the hands of the American Party,

44. *Colliers Weekly* for April 15, 1911. He says on the subject of the investigation:

"On one occasion a number of charges were made to the administration while I was President about these polygamous marriages in Idaho and Wyoming as well as Utah, it being asserted that a number of our Federal officials had been polygamously married. A very thorough and careful investigation was made by the best men in the service into these charges, and they were proved to be without so much as the smallest basis in fact."

Then of the people: "So much for these slanders" [i. e. of certain of the magazine articles]. Now a word to the "Mormon" people themselves. Of the accusations made against the "Mormons" there is no need of my saying anything. . . . I have known monogamous "Mormons," whose standard of domestic life and morality and whose attitude toward the relations of men and women was as high as that of the best citizens of any other creed; indeed, among these "Mormons" the standard of sexual morality was unusually high. Their children were numerous, healthy, and well brought up; their young men, were less apt than their neighbors to indulge in that course of vicious sexual dissipation so degrading to manhood and so brutal in the degradation it inflicts on women and they were free from that vice, more destructive to civilization than any other can possibly be, the artificial restriction of families, the practice of sterile marriage; and which ultimately means destruction of the nation."

and continued under its control through three administrations, from 1905 to 1911. The Mayors being Ezra Thompson for the first term, and John S. Bransford for two terms following. In the election for 1911 the American Party was over thrown by the citizens ticket, and at the same election Salt Lake went under the commission system of municipal government, with Samuel G. Park as Mayor.⁴⁵

Many have been the changes caused by death and transitions in the presiding Council of the Church during the administration of President Joseph F. Smith. On March 27th, 1910, President John R. Winder, first counselor in the First Presidency, died. At the April conference following John Henry Smith, cousin of President Joseph F. Smith, and a member of the quorum of the Twelve Apostles, was chosen and sustained as second counselor in the Presidency, the previous second counselor, Anton H. Lund, being advanced to first counselor. October 13th, 1911, John Henry Smith died and Charles W. Penrose of the Council of the Twelve was selected, as second counselor in the First Presidency. Presiding Patriarch of the Church, John Smith died on the 6th of November, 1911, and was succeeded by his grandson, Hyrum G. Smith, who was sustained in the office of Presiding Patriarch of the Church at the April General conference of 1912.⁴⁶

Changes in the quorum of Apostles for the period named were as follows:

"Brigham Young, son of the late President Brigham Young, died April 11, 1903, and at the October conference, 1903, Geo. Albert Smith was sustained as one of the Twelve Apostles to fill the vacancy.

Apostle Abraham Owen Woodruff died June 20, 1904, at El Paso, Texas, and at a meeting of the First Presidency and Apostles held July 7, 1904, Charles W. Penrose was chosen and ordained an Apostle to fill the vacancy.

The resignation of John W. Taylor and Matthias F. Cowley

45. For account of the rise of the American Party see *Salt Lake Tribune* of Dec. 31st, 1905; also *Salt Lake Tribune* of Feb. 22, 1908; also speech by Mr. Joseph Lippman at Salt Lake City in the campaign of 1908, *S. L. Tribune* of Oct. 11, 1908.

46. The Patriarch was born near Salt Lake City, July 8th, 1878. His ordination took place 9th of May, 1912.

Oct. 6, 1905, and the death of Marriner W. Merrill Feb. 6, 1906, caused three vacancies in the quorum of the Twelve, which were filled at the April conference, 1906, when Geo. F. Richards, Orson F. Whitney and David O. McKay were chosen and sustained as members of the quorum of Twelve Apostles.

Geo. Teasdale died June 9, 1907, and at the October conference, 1907, Anthony W. Ivins was chosen and sustained as one of the Twelve Apostles.

The calling of John Henry Smith to the position of second Counselor in the First Presidency April 7, 1910, caused another vacancy in the quorum of the Twelve, which was filled by the ordination to the Apostleship of Joseph F. Smith, Jr., April 7, 1910.

Apostle Charles W. Penrose was chosen as second Counselor in the First Presidency, and the vacancy caused thereby in the quorum of Twelve was filled by James E. Talmage who was ordained an Apostle Dec. 8, 1911.”

In the First Council of Seventy the changes since the beginning of President Smith's administration are as follows:

“Christian D. Fieldsted died Dec. 23, 1905, in Salt Lake City, and at the general conference held in April, 1906, Charles H. Hart was chosen to fill the vacancy caused thereby in the First Council of Seventy.

George Reynolds died Aug. 9, 1909, and at the general conference held in Salt Lake City Oct. 6, 1909, Levi Edgar Young was chosen to fill the vacancy.”

The changes in the presiding Bishopric for the same period have been as follows:

“Counselor John R. Winder having been promoted to the position of first counselor in the First Presidency, Orrin P. Miller was chosen as second counselor to Presiding Bishop Wm. B. Preston Oct. 24, 1901.

First Counselor Robert R. Burton died Nov. 11, 1907, in Salt Lake City.

Bishop William B. Preston resigned his position, owing to ill health, and Charles W. Nibley succeeded him as Presiding Bishop of the Church, Dec. 11, 1907, with Orrin P. Miller as first and David A. Smith as second counselor.”⁴⁷ (

47. Bishop Preston died Aug. 2, 1908. The above tabulation of changes among Church authorities is taken from Jensen's Church Chronology—*Introductory*, pp. XXIX—XXXIV.

So that the general Presiding Councils of the Church now (August, 1915) are:

"Joseph F. Smith, President of the Church of Jesus Christ of Latter-day Saints. Anthon H. Lund, Charles W. Penrose, Francis M. Lyman, President of the Council of the Twelve Apostles.

Members of the Council of the Twelve Apostles: Francis M. Lyman, Heber J. Grant, Ruder Clawson, Reed Smoot, Hyrum M. Smith, George Albert Smith, George F. Richards, Orson F. Whitney, David O. McKay, Anthony W. Ivins, Joseph F. Smith, Jr., James E. Talmage.

Presiding Patriarch: Hyrum G. Smith.

First Seven Presidents of the Seventies: Seymour B. Young, Brigham H. Roberts, Jonathan G. Kimball, Rulon S. Wells, Joseph W. McMurrin, Charles H. Hart, Levi Edgar Young.

Presiding Bishopric: Charles W. Nibley, Presiding Bishop. Orrin P. Miller, David A. Smith, Counselors."

During President Smith's administration the work of the Lord has been greatly prospered. On August 4th, 1902, a Bureau of Information was opened upon the Temple Block in Salt Lake City under the auspices of the Church, with a view of imparting information in relation to the city and the state, and especially in relation to the Church of Latter-day Saints, to the tens of thousands of tourists who annually visited Salt Lake City. Through many years the city, and the state, and especially the Church of the Latter-day Saints, suffered through the misrepresentation of hackmen who drove visiting tourists through the city and so filled them with sensational stories of alleged Mormon atrocities, and absurdities respecting "Mormon religious beliefs and doctrines that many people went away deeply prejudiced against both the faith and the community of Latter-day Saints. The Bureau was formed to overcome this evil, substituting for mis-representation, self-representation; awakening to the fact that here in the citadel of the faith and the community it would be better to represent themselves than to be misrepresented by others.⁴⁸ The Bureau started in a very humble building at a

48. The conception of this movement took form really in the latter months of the administration of President Snow, but nothing definite was done about organizing the Bureau until Feb. and March of 1902; see letters of date of Feb. 18th, 1902, and March of same year.

cost of about \$600.⁴⁹ It now has a splendid building at the south entrance of the Temple block, which with the recent additions will cost \$25,000. There is a fine force of intelligent workers employed who come in contact with hundreds of tourists daily, distribute Church literature, show the people through the grounds, and the buildings, and give explanations of the Latter-day faith, the history of the Church and the manner of life of the people. It is reported by the Bureau that during the year 1914 approximately 200,000 people registered, and were instructed in the faith of the Latter-day Saints.⁵⁰

During President Smith's administration the Church purchased the old "Mack Farm" in Vermont, where the Prophet Joseph Smith was born. A cottage on the old homestead site, has been built, and a splendid monument to the Prophet, erected, which was unveiled and dedicated by President Smith on the one hundred and ninth anniversary of the Prophet's birth, 23rd of December, 1905,⁵¹ in the presence of a large company from Salt Lake City, who went east for the express purpose of attending the ceremonies,⁵² and many people from the New England states and New York also attended.

The stakes of Zion have greatly increased in number during the current administration also, as likewise have the wards within them. The missions in the land where the work was brought forth, the United States of America, have been kept up and so have the missions in foreign lands and both have been enlarged. Zion has prospered, as witness these items of information culled

49. The Bureau was opened under the direction of Elders Benjamin Goddard, Arnold H. Schulthess and Thomas Hull. The object was to distribute Church literature and impart all necessary information to tourists and other strangers visiting Salt Lake City. A small building for the entertainment of strangers and for the distribution of literature had been erected on the Temple Block at a cost of \$600. About seventy-five active members of the Church, of both sexes, were called to spend part of their time in entertaining visitors and escorting them around the block. During the first year of its operation the registry books indicated that 150,000 people were entertained." Church Chronology—Jensen—1902, Aug. 4th, p. 14.

50. *Ibid.* See also Art. in *Improvement Era*, for June, 1911, by Joseph T. Peery, pp. 688-694. A description of the Monument and an excellent steel engraving of it accompanied Chapter two of this history; see *Americana* for July, 1909.

51. A list of the company that accompanied President Smith is given in Church Chronology—Jensen—for 1905, p. 25.

from President Smith's remarks and report submitted to the annual general conference of the Church, for April, 1915. In opening the conference President Smith said:

"There never has been a time, at least within my remembrance, when the Church was in a better condition, spiritually and temporally, than it is today. I do not believe that there has ever been a time when the organizations of the various quorums of the priesthood were more nearly perfect or more diligent than they are at present; or when the stakes of Zion were more properly guarded, and their interests watched, by those who are presiding over them, than they are today. I believe that our general and auxiliary organizations of the Church, also the standard organizations of the priesthood, are performing their duty quite as well now, and I think somewhat better, than at any previous period of the Church's history. . . . Not only does this apply to those members who are called to act in responsible positions, but it applies to those who may be termed 'lay members'; if we may use such a term with reference to members of the Church of Jesus Christ of Latter-day Saints."

There has been a net increase in the membership of the Church⁵⁴ in the stakes of Zion from the year 1901 to 1914 of 129,493 souls. Of the membership of the Church residing in the stakes of Zion, 319,000 were born in the United States.

52. The total membership of the Church in the stakes of Zion as reported from records of the Presiding bishops office up to and including December, 1914— are 372,138; of this number 92,228 are children under eight years of age. The membership of the Church in the missions amounts to 80,859, making a total of 452,997.

The latest report concerning the number of men holding the Priesthood in the Church show that there are three in the First Presidency, twelve Apostles; two hundred and fifty Patriarchs; there are 11,200 High Priests, not including the Patriarchs who are also High Priests, or the First Presidency or the Twelve Apostles; 11,112 Seventies; 27,382 Elders, making a total in the Melchizedek Priesthood of 49,959.

In the Aaronic Priesthood there are 8,830 Priests; 10,607 Teachers; 22,772 Deacons, making a total of 42,200; and a grand total of those who hold the Priesthood in both divisions Melchizedek and Aaronic—of 92,166.

The enrollment in the auxiliary organization is as follows:

The Female Relief Society.....	34,493	.
Sunday school	162,004	
Young Men's Mutual Improvement Association.....	32,586	
Young Ladies Mutual Improvement Association.....	31,649	
Children's Primary Association	63,452	
Religion Classes	46,143	
Total	316,441	

These figures are from the Presiding Bishops office Reports up to and including December, 1914.

There are 74,432 families in the organized stakes of Zion. Our record shows that 73 per cent. of all the Latter-day Saint Families, residing in all the stakes of Zion, own their own homes. I am sorry that this figure is not as large as it has been in the past, but we have become more numerous than we were when 95 per cent. of the people of the Church owned their own little homes and owed nothing to anybody for them."

There are now 739 wards and 33 independent branches.

There are 68 stakes of Zion and 21 missions.

During the year 1914, 21 new stakes of Zion were organized.

The birth rate of the Church was 39.5 to the thousand.

The death rate was 8.3 to the thousand.

The marriage rate was 17 to the thousand.

During the year there were 14,717 children blessed.

There were 1,316 Elders and 115 Women laboring in the missions as missionaries.

During the conference it developed that it was desirable that more experienced men be called to the mission fields, and on this head President Smith said:

"It is decided that a greater number of older members of the Church shall be called as ministers abroad. To this end, a large number of Seventies have been and are being called to the various mission fields in the world. Whereas, it has been the recent custom to have nearly all young men in the field, boys in some instances, it is now decided desirable that at least two older men to one young man shall be called to the work.

The work in the Temples has been the largest on record. There have been performed in the Temples during the year, 166,909 baptisms for the living and dead, and 72,952 endowments for the living and dead. Altogether 326,264 ordinances have been performed in the four temples. This is a very considerable increase over any previous year."

The following report will show how the tithing of the Church for the year 1914 has been disbursed:

For the erection and maintenance of stake tabernacles, ward meeting houses, amusement halls and other stake and ward expenses.....	\$730,960 00
For the maintenance of Church schools.....	330,984 00
For the maintenance of our Temples.....	64,508 00

For the erection of mission houses and general mission activities, and return fares of missionaries	227,900 00
For the maintenance of Church buildings and Church institutions, including the Temple block and the Presiding Bishop's office.....	99,293 00
For the completion and maintenance of the Latter-day Saints Hospital	136,727 00
For the erection of the Cardston (Canada) Temple	52,647 00
For the erection of the new Church office building..	128,663 00
Paid to the worthy poor out of the tithing funds..	116,238 00

	\$1,887,920 00

This is the entire tithing of the Church in all the world for the year 1914.
 The expenses of the General Authorities and the maintenance of the office of the First Presidency are paid out of revenues derived from investments, and not out of the tithes of the Church.

Disbursements to the Poor for 1914.

In addition to the amount paid out of the tithes to the poor	\$116,238 00
There has been collected and paid to the poor by the Relief Society	74,290 00
And there has been paid to the poor by the Bishops from the fast offerings and other ward charity funds	76,000 00

Making a total paid to the poor of.....	\$266,528 00
There has been collected for the war sufferers, which is being expended under the direction of President Hyrum M. Smith, of the European Mission	33,000 00 ⁵³

"Some people have reported that the tithes of the Church amount to millions every year, and Joseph F. Smith has the absolute control of all these millions, and never gives any account of them to the world, nor to anybody else. . . . These amounts which I have read, I think it may be proper to state here, cover

53. See Minutes of the Conference published in *Deseret Evening News*, April 4th, 1915.

the entire tithing of the Church in all the world for the year 1914."

The Church of Jesus Christ of Latter-day Saints has doubtless entered upon the second period of her development, the first, closing with the events which mark the end of her struggle for existence. That existence is now assured beyond any reasonable doubt; and no phase of the past direful experiences can ever be repeated. The scenes of Missouri can never be re-enacted, neither those of Nauvoo and Illinois. The great march across the prairie lands of Iowa, and the subsequent journey over the Platte plains, and across the mountains to the valley of the great Salt Lake—America's one Dead Sea—can never be even approximately duplicated. Nor can the feats of pioneering achievements of Utah's early days be repeated. The wilderness and the solitary places necessary for such feats are wanting. There is no vast wilderness now to conquer by man's bare hands made strong, not by formal, or institutional co-operation, but by the spirit of co-operation—by the spirit of mutual helpfulness which the gospel of Jesus Christ inspires. The solitary places are occupied, or, if not, will be subdued and made habitable by other methods than those employed by the Latter-day Saint Pioneers.

The struggle for the rights of local community self-government can never be repeated in America. The always anomalous system of Territorial government in the American Republic, is well nigh and will soon be quite, obliterated. In any event the Latter-day Saint experience in, and their struggle against its injustice, can never be repeated for them. Nor can the struggle for the maintenance of the plural marriage system permitted and sanctioned by the law of the Church for sacred purposes and the attainment of ends that were holy, and of high racial benefits, be repeated. What ever duty was imposed upon the Church of the Latter-day Saints to proclaim the truth which God revealed to her respecting this principle and practice, they have fully discharged it in the testimony they have borne and in the things they have suffered for that testimony—the scorn of the world, fines, the imprisonment and exile of thousands, the long years of community disturbance it brought, the constant menace

its maintenance was to the Church community existence—all this but exhibits the tenacity with which Latter-day Saints cling to truth, and the firmness with which they adhere to the line of duty. But the end for them in respect of this matter has come. Its future is in the hands of God.

Respecting the controversy about the union of Church and state and the domination of the individual in the performance of his civil duties by ecclesiastical authority, these problems, too, have passed away, if really they ever existed as a matter of conceded right to Church authority. But if they existed, even in seeming, they no longer exist either as conceded or claimed powers. And as a matter of fact are contrary to the underlying doctrines of the Church as they relate to the rights of the individual. In the Book of Mormon—a book that is scripture to the Latter-day Saints—it is stated that the basic principle of a republic—which form of government it favors as against monarchy, and which it describes as government by the voice of the people—is the direct moral responsibility of the individual to God for the government which he, with his fellows, permits to exist. (Mosiah, chapter XXIX). It follows of course that such moral responsibility can only exist when the absolute freedom of the individual is assured. So this controversy is of the past. If any one assumes to revive it, it must be done in the face of a long list of official utterances disclaiming such right and power as inhering in the priesthood or the Church, and against the express word of God. It is not likely to occur.

The controversies of the Church of the Latter-day Saints, then, that have relationship to this first great period of the Church's existence—the period in which the dominant note has been a struggle for existence—are ended. The victory is won for the Church. The prophecy of Joseph Smith that the Saints would survive the period of their persecutions, and that there were men then listening to his words who would live to see the Saints become a mighty people in the mist of the Rocky Mountains—*Is now an accomplished fact.*

It remains for the Church of the Latter-day Saints to enter upon the Second Period of her development with perfect confidence that her existence is assured; and that hence forth she has

the two great things of her high mission to accomplish, *viz.*, (1) To teach the truths which God has committed to her by a reopening of the heavens and a renewal of revelations to an established Church, to an organized priesthood thence to be proclaimed to every nation and kindred and tongue and people; and (2) to perfect the lives of those who shall accept the truths so revealed to her, and thus assist in preparing men and the world for the personal coming and reign of the Christ on the earth.

He which testifieth these things [The Christ] saith, "*Surely I come quickly.*"

And we *who* write them, respond in our heart—
“Even so, come, Lord Jesus!”

THE END.



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